DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

City Planning Commission

Date: September 12, 2019
Time: After 8:30 a.m.*
Place: Los Angeles City Hall
Council Chamber, Room 340
200 N. Spring Street
Los Angeles, CA 90012

Public Hearing: May 8, 2019
Appeal Status: Transfer of Floor Area Rights (TFAR) appealable to City Council by applicant if disapproved in whole or in part. All other entitlements are appealable to City Council.
Expiration Date: September 12, 2019

Case No.: CPC-2016-3765-TDR-MCUP-CUX-ZAD-DD-SPR
CEQA No.: ENV-2016-3766-EIR
Related Case: VTT-74593-1A
Council No.: 14 – Huizar
Plan Area: Central City
Plan Overlay: None
Certified NC: Downtown Los Angeles
Land Use: Regional Center Commercial
Zone: C2-4D

Applicant: Jeffrey Fish,
JMF Enterprises V LLC

Representative: Loren Montgomery,
Montgomery Clark Advisors

PROJECT LOCATION: 319-323 5th Street and 440-442 South Hill Street

PROPOSED PROJECT: The Project will develop a vacant site with a mixed-use development (Project) consisting of 190 hotel rooms, 31 residential condominium units, and 29,232 square feet of restaurant uses. In total, the Project will contain up to 255,812 square feet of floor area on a 16,663 square-foot (0.38-acre) lot, for a floor area ratio (FAR) of 13:1. The proposed uses will be located within a 53-story building with a maximum height of 784 feet. As proposed, the Project will provide 129 vehicle parking spaces within two subterranean and three-above grade parking levels; and 156 bicycle parking spaces.

REQUESTED ACTIONS:

ENV-2016-3766-EIR

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, the consideration and certification of the Environmental Impact Report (EIR), ENV-2016-3766-EIR, SCH No. 2017031018, for the above-referenced project, and adoption of the Statement of Overriding Considerations setting forth the reason and benefits of adopting the EIR with full knowledge that significant impacts may remain;

2. Pursuant to Section 21081.6 of the California Public Resources Code, the adoption of the proposed Mitigation Measures and Mitigation Monitoring Program; and

3. Pursuant to Section 21081 of the California Public Resources Code, the adoption of the required findings for the certification of the EIR;

CPC-2016-3765-TDR-MCUP-CUX-ZAD-DD-SPR

1. Pursuant to Los Angeles Municipal Code (LAMC) Section 14.5.6, approval of a Transfer of Floor Area Rights (TFAR) for the transfer of greater than 50,000 square feet of floor area from the City of Los Angeles-owned Convention Center (Donor Site) located at 1201 South Figueroa Street, for up to 155,834 square feet to the Project Site (Receiver Site), thereby permitting a maximum 13:1 FAR, in lieu of the otherwise permitted maximum 6:1 FAR;

2. Pursuant to LAMC Section 12.24 W.1, a Master Conditional Use Permit (MCUP) to allow the sale and dispensing of a full line of alcoholic beverages within four restaurants/bars and hotel uses;

3. Pursuant to 12.24 W.18, a Conditional Use Permit (CUX) to allow dancing within the hotel banquet room;

4. Pursuant to LAMC Section 12.24 X.22, a Zoning Administrator's Determination to allow a building height of 250 feet for the portion of the building located on a C2-zoned lot within 100 feet of an OS Zone (Pershing Square), in lieu of the otherwise maximum height 61 feet, as permitted by LAMC Section 12.21.1 A.10;

5. Pursuant to LAMC Section 12.21 G.3(a), a Director's Decision to permit a 10-percent reduction in the required area for planning of ground cover, shrubs, and trees within the common open space; and

6. Pursuant to LAMC Section 16.05, Site Plan Review for development of a project that results in an increase of 50 or more dwelling units and/or guest rooms.

RECOMMENDED ACTIONS:

ENV-2016-3766-EIR

If the City Planning Commission denies the appeal of the Vesting Tentative Tract Map (VTT-74593-1A) and sustains the actions of the Advisory Agency:

1. **Find,** based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in the previously certified 5th and Hill Project Environmental Impact Report (EIR) No. 2016-3766-EIR (SCH No. 2017031018), which includes the Draft EIR, dated November 1, 2018, and the Final EIR, dated April 26, 2019, and certified on August 2, 2019 and adopted the Environmental Findings and the Mitigation Monitoring Program prepared for the 5th and Hill Project EIR,; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR or addendum is required for approval of the Project.

OR

If the City Planning Commission grants the appeal of the Vesting Tentative Tract Map (VTT-74593-1A) and denies the Tract Map:

1. **Find**, that the City Planning Commission has reviewed and considered the information contained in the Environmental Impact Report No. ENV-2016-3766-EIR (SCH No. 2017031018), which includes the Draft EIR, dated November 1, 2018, and the Final EIR, dated April 26, 2019 (collectively, 5th and Hill Project EIR), as well as the whole of the administrative record.

   CERTIFY that:

   a. The 5th and Hill Project EIR has been completed in compliance with the California Environmental Quality Act (CEQA);
   b. The 5th and Hill Project EIR was presented to the City Planning Commission as a decision-making body of the lead agency; and
   c. The 5th and Hill Project EIR reflects the independent judgment and analysis of the lead agency.

   ADOPT the following:

   a. The related and prepared 5th and Hill Project Environmental Findings, dated August 2, 2019;
   b. The Statement of Overriding Considerations; and
   c. The Mitigation Monitoring Program prepared for the 5th and Hill Project EIR (Exhibit B).

2. **Advise** the Applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

3. **Advise** the Applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Wildlife Fee and/or Certificate of Fee Exemption may be required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination ("NOD") filing.

CPC-2016-3765-TDR-MCUP-CUX-ZAD-DD-SPR

1. **Recommend** that the City Planning Commission continue this request until a date uncertain, after the Agency Board acts on the requested TFAR Transfer Plan and Public Benefits Payment, in order for the City Planning Commission to consider the requested TFAR Transfer Plan, Public Benefit Payment, and associated Findings;

2. **Request** that within six months of the receipt of the Public Benefit Payment by the Public Benefit Trust Fund, the Chief Legislative Analyst convene the Public Benefit Trust Fund Committee, pursuant to LAMC Section 14.5.12;

3. **Approve** a **Master Conditional Use Permit** to allow the sale and dispensing of a full line of alcoholic beverages within four restaurants and bars, mini-bars within hotel guest rooms, room service to hotel rooms, and the hotel and residential pool deck;

4. **Approve** a **Conditional Use Permit** to allow dancing within the hotel banquet room;

5. **Approve** a **Zoning Administrator's Determination** to allow a building height of 250 feet for the portion of the building located on a C2-zoned lot within 100 feet of an OS Zone (Pershing Square), in lieu of the otherwise maximum height 61 feet;

6. **Approve** a **Director's Decision** to permit a 10-percent reduction in the required area for planting of ground cover, shrubs and trees within the common open space areas;

7. **Approve** a **Site Plan Review** for a project that results in an increase of 190 hotel guest rooms.
8. **Adopt** the Conditions of Approval.
9. **Adopt** the attached Findings.

VINCENT P. BERTONI, AICP

Director of Planning

Lisa Webber, Deputy Director

Heather Bleemers, Senior City Planner

Mindy Nguyen, City Planner

Kathleen King, Planning Associate

ADVICE TO PUBLIC: **The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the Commission Secretariat, Room 272, City Hall, 200 North Spring Street, Los Angeles, CA 90012 (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1295.*

TABLE OF CONTENTS

Project Analysis **A-1**

Project Description
Background
Project Analysis
Issues
Conclusion

Conditions of Approval **C-1**

Findings **F-1**

Entitlement Findings
CEQA Findings

Public Hearing and Communications **P-1**

Exhibits:

A – Project Plans

A-1 Architectural Plans
A-2 Renderings

B – Maps

B-1 Vicinity Map
B-2 Zoning Map
B-3 Land Use Map

C – Mitigation Monitoring Program

D – LADOT Approval Letter May 9, 2018

Environmental Impact Report (EIR) link:

https://planning.lacity.org/eir/5th_and_Hill/CoverPg.html

PROJECT ANALYSIS

Project Description

The Project will develop a vacant site with a 53-story, 784-foot tall mixed-use, high-rise building with a hotel, residential condominium units, and restaurant uses. In total, the Project will contain up to 255,812 square feet of floor area on a 16,663 square-foot (0.38 net acres or 0.46 gross acres) lot, for a Floor Area Ratio (FAR) of 13:1. A breakdown of the Project's uses is provided in the Table below.

5th and Hill Project Rendering: View from Pershing Square

5th and Hill Project Uses	
Location	**Use**
Levels B1-B2, 3-5	Automated Parking
Levels 2 and 13	Lobby Areas
Level 6	Admin/Meeting Rooms
Levels 7-8 and 14-15	Restaurant Uses
Level 16	Banquet Room
Levels 17-18, 38-39, and 51-52	Mechanical Equipment
Levels 19 and 38	Fitness Center, Pool/Spa, Amenity Decks
Level 20-37	Hotel Guest Rooms
Level 39-51	Residential Condominium Units
Level 52 and 53	Roof/Solar Panels

Building Design

Given the L-shaped site, the building is designed as a tall, slender high-rise tower, comprised of three distinct parts: an eight-story podium, a four-story cutout, and a hotel and residential tower. Building materials will include different types of glass, concrete, aluminum and stone. Glass used in building façades will be non-reflective or treated with a non-reflective coating to minimize glare. The north, west, and south façades will consist primarily of painted aluminum glazed curtain wall and window wall systems. The vertical concrete core, needed for structural support and mechanical functions, will be visible along the eastern façade and will be located in the center of the glazed curtain and window wall systems.

Eight-Story Podium

The eight-story podium will include the ground floor with a transparent hotel lobby area, a second floor transitional lobby area (used as a sitting area for guests and storage area for luggage) for hotel guests, three above-grade parking levels, administrative and meeting rooms on Level 6, and indoor and outdoor restaurant and bar space on Levels 7 and 8. An on-site residential and hotel drop-off area will be located on the ground floor. The ground floor will be a double story (20 feet), open along 5th Street and will be accessible to pedestrians. Elevators accessible from 5th Street will provide access to all proposed uses located throughout the development. The three-above ground parking levels will be visible from both Hill Street and 5th Street, naturally ventilated, and screened by a water feature in which water will cascade from the top of Level 6 into a catch basin on Level 2, as shown in the following graphic. The above grade parking on both 5th and Hill Street is concealed primarily by the water feature, which will periodically be turned-off for maintenance purposes. A visually opaque glass wall system with open joints for ventilation will be placed behind the cascading water feature and serve as a secondary means to conceal above grade parking from view. In addition to the water feature and glass wall systems, interior concrete knee walls will be placed at the edge of the floor, just inside the glass wall system. The walls will be 42 inches in height and shield any vehicular headlights from being visible.

5th and Hill Project Rendering: Eight Story Podium and Cut-Out

Four-Story Cutout

The four-story cutout will be an open volume in the building between the top of the podium (Level 8) and the indoor/outdoor sky lobby area on Level 13. Levels 9 through 12 will be open with no habitable area and the only visible portion of the building will be the vertical structural core. The cutout will provide an open-air area for guests and residents and allow light to pass through the building's core.

Hotel and Residential Tower

A sky lobby, restaurant and back of house uses, and banquet room will be located immediately above the four-story cutout. The sky lobby will be located on Level 13 and will provide a lobby area for the hotel uses as well as a connection to the Perch Restaurant located in the neighboring Pershing Square Building.[1] Levels 14 and 15 will include a restaurant and back of house uses and Level 16 will include a banquet room with a dedicated pre-function space and event patio.

1 The Project Applicant owns the Pershing Square Building, including the Perch Restaurant.

The Project will introduce an iconic tower to the downtown skyline, comprised of residential and hotel uses, and non-uniform cantilevered terraces, private pools and spas along the north, west, and south facades. The hotel and residential portion of the Project will be situated along 5th Street. Levels 21 to 51 will include 12 private cantilevered residential swimming pools, 11 private cantilevered residential spas, private hotel and residential terraces, and one common area pool and spa.[2]

Density and Setbacks

Pursuant to LAMC Section 12.22 C.3(c), C2-zoned lots within the Greater Downtown Housing Incentive Area are not subject to any yard or density limitations except as required by the Downtown Design Guide, which states that the setbacks of a proposed project located in the Historic Downtown area should consider matching the prevailing setback where appropriate. As noted above, the Project Site is currently vacant and the existing setback of the surrounding buildings is zero feet along 5th Street and Hill Street. The Project proposes a zero-foot setback from the 5th Street, Hill Street, and the north and south property lines. A total of 31 residential condominium units comprised of one four-bedroom unit, 14 three-bedroom units, and 16 two-bedroom units and 190 hotel guest rooms are proposed.

Building Height and Floor Area

In combination with the C2 Zone, Height District 4 has no height limitation and permits a maximum FAR of 13:1. However, the Project Site is restricted by a D Development Limitation, established by Ordinance No. 164,307 – Subarea 1095, which limits the total floor area of a building to 6:1, unless a transfer of surplus floor area is obtained from a Donor Site. In total, the Project will contain up to 255,812 square feet of floor area on a 16,663 square-foot (0.38-acre) lot, for a FAR of 13:1, in conjunction with a request for Transfer of Floor Area Rights (TFAR) from the Los Angeles Convention Center. As proposed, the Project will be a maximum height of 784 feet.

Open Space and Landscaping

Based on the number of units and the mix of unit types, 4,975 square feet of residential open space is required, and a total of 7,359 square feet of residential common open space (which meets the minimum dimensional requirements per LAMC Section 12.21 G) is provided, as shown in the table below. Additionally, 1,550 square feet of private open space will be provided via 31 private residential balconies of which no more than 50 square feet per dwelling unit shall be attributable to the total required open space.

Open Space Required			
Use[1]	**LAMC Requirement**	**Amount**	**Total Required**
< 3 Habitable Rooms	100 sf / unit	0 units	0 sf
= 3 Habitable Rooms	125 sf / unit	9 units	1,125 sf
> 3 Habitable Rooms	175 sf / unit	22 unit	3,850 sf
Total Open Space Required			**4,975 sf**

[1] Kitchens are not considered habitable rooms for the purposes of open space calculations.

2 The 72 terraces include those attached to pools and spas.

Open Space Provided			
Location	**Use**	**Total Amount**	**Total Amount Compliance with LAMC 12.21 G**
Level 19	Pool Deck, Pool and Spa	3,769 sf	3,769 sf
Level 19	Fitness Center	2,242 sf	1,244 sf[1]
Level 38	Amenity Decks	1,361 sf	796
Private Open Space	Terrace (50 sf)	1,550 sf	1,550 sf
Total Open Space Provided		**8,922 sf**	**7,359 sf**

[1] As proposed, the fitness center is 2,242 square feet. Pursuant to LAMC Section 12.21 G, only 25 percent of the required usable common open space can be allocated for a recreation room, or 1,244 square feet.

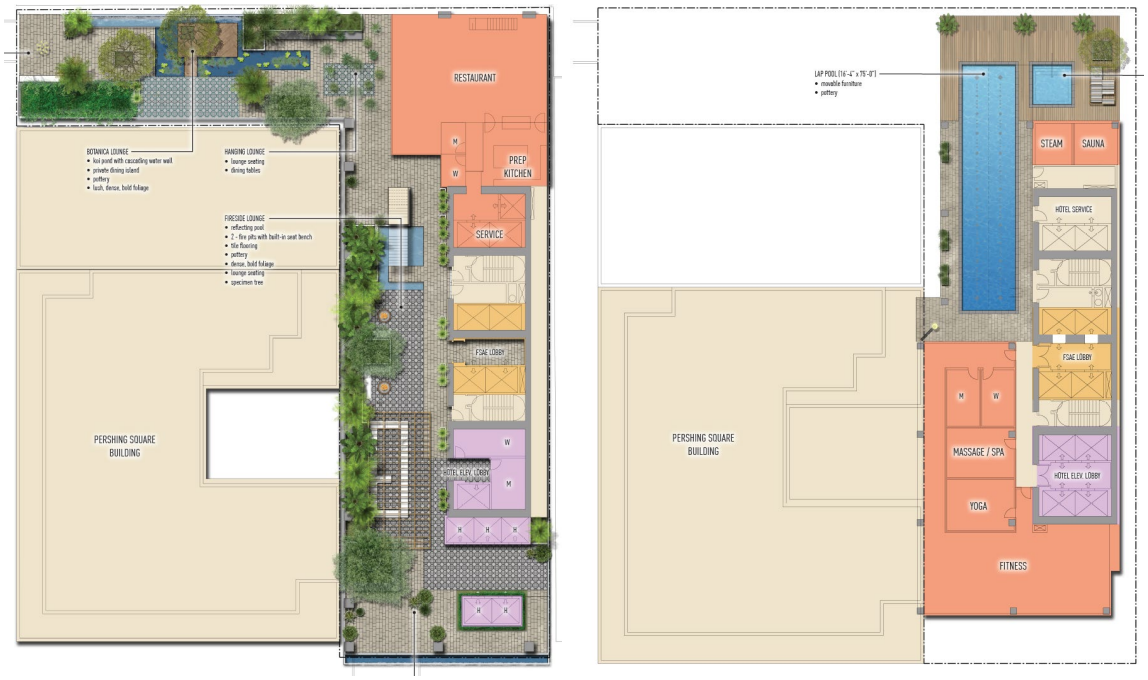
As proposed, the fitness center is comprised of 2,242 square feet. Pursuant to LAMC Section 12.21 G, a maximum of 25 percent (or 1,244 square feet) of the total required usable common open space may be allocated for a recreation room. In addition, a minimum of 25 percent, or 1,244 square feet, of the Project's total required common open space will need to be planted with ground cover, shrubs, or trees.

Pursuant to LAMC 12.21 G.3, if a development proposed with an R3, RAS3, R4, RAS4, or R5 density, an applicant may apply for a Director's Decision to request a 10-percent reduction in the required area for planting of ground cover, shrubs and trees in common open space, but that reduction shall not decrease the total required usable open space.

As the Project is generally developed to the R5 density, the Applicant is requesting a Director's Decision to permit a 10-percent reduction in the required area for planting of ground cover, shrubs, and trees within the common open space areas, up to a minimum of 15 percent of the total required area for planting of ground cover, shrubs, and trees within the common open space.

Pursuant to LAMC Section 12.21 G.2(a)(3), at least one 24-inch box tree for every four dwelling units shall be provided on-site. The Project includes 31 residential condominium units and is therefore required to provide a total of eight (8) trees on-site. As currently proposed, the Project provides 20 trees throughout the Project Site and thus meets the minimum LAMC requirements.

Due to the site constraints and the City of Los Angeles Department of Transportation's (LADOT) driveway requirements, no street trees will be planted. The Project will include trees and landscaping throughout the development and will include both native and adaptive native plant materials, as shown in the landscape plan graphics below



Level 7 and Level 19 Landscape Plan

Parking and Access

Residential Vehicle Parking

Pursuant to LAMC Section 12.21 A.4(p) (Exception for Central City Area), one parking space per dwelling unit is required, except where there are more than six dwelling units containing more than three habitable rooms per unit, then each of the units containing more than three habitable rooms shall provide one and one-quarter parking space. The Project proposes three units with less than three habitable rooms and 28 units with more than three habitable rooms, thereby requiring a total of 38 residential parking spaces.

Pursuant to LAMC Section 12.21 A.4(i) (Exception Downtown Business District), one parking space per 1,000 square feet of floor area for business, commercial or industrial buildings having a gross floor area of 7,500 square feet or more is required. The Project proposes a total 29,232 square feet of restaurant space and will be required to provide 29 spaces. Additionally the Project will provide 6,119 square feet of banquet and meeting room space, thereby requiring be 61 spaces. For the proposed hotel use, pursuant to LAMC Section 12.21 A.4(p), the Project will be required to provide one parking space for each two individual guest rooms for the first 20 rooms; one additional parking space for each four guest rooms in excess of 20 but less than 40; and one additional parking space for each six guest rooms or suites of rooms in excess of 40. The Project proposes 190 hotel units, thereby required a total of 40 parking spaces.

Pursuant to LAMC 12.21 A(4) the Applicant is utilizing the bicycle replacement provision for a 15 percent reduction in the total required residential and hotel parking, or 12 spaces; and a 30 percent reduction in the total required commercial parking, or 27 spaces, for a total reduction of 39 spaces, thereby requiring a total of 156 bicycle parking spaces. In conjunction with the bicycle replacement, the Project will be required to provide a total of 129 vehicle spaces.

Required Vehicle Parking			
Use	**Unit/Room/Square Feet**	**Parking Rate**	**Required**
Central City Exception			
Residential	3 (= 3 habitable rooms)	1 space/unit	3
	28 (> 3 habitable rooms)	1.25 space/unit	35
		Total Residential Parking	**38 spaces**
Hotel Guest Room	1-20	1 space/2 guest rooms	10
	20-40	1 space/4 guest rooms (in excess of 20 but not exceeding 40)	5
	150	1 space/6 guest rooms (in excess of 40 rooms)	25
		Total Hotel Parking	**40 spaces**
Downtown Business Center Exception			
Restaurant/Bar	29,232	1 space/1,000 sf	29
Banquet and Meeting Rooms	6,119	1 space/1,000 sf	61
		Total Commercial Parking	**90 spaces**
		Total	**168 spaces**
		Bicycle Parking Reduction	(39 spaces)
		Total Required Parking	**129 spaces**
		Total Parking Provided	**129 spaces**

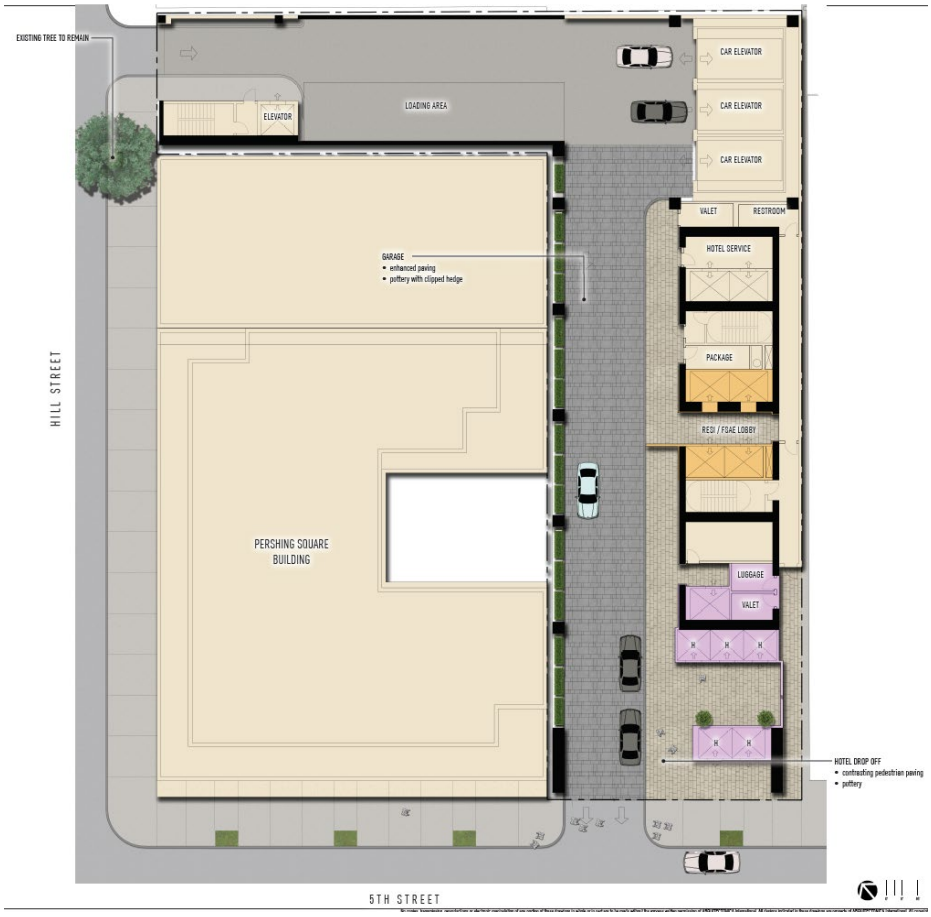
Due to the constrained footprint of the Project Site, the Project will employ innovative parking and circulation solutions, including a valet service that would drive the vehicles into car automated car lifts, which will then move the vehicles to a parking level and the valet service will drive the vehicle to an available parking space. The Project includes two subterranean and three above-grade parking levels on Levels 3-5 that will be fully screened by a water feature.

Bicycle Parking

Pursuant to LAMC Section 12.21 A.16 the Project is required to provide 39 short-term and 67 long-term bicycle parking spaces, for a total of 106 spaces. In addition, the Project is utilizing the bicycle replacement provisions pursuant to LAMC 12.21 A.4, to reduce the required residential vehicle parking by 15 percent, and commercial parking spaces by 30 percent, requiring 156 bicycle parking spaces. The Project will provide a total of 156 bicycle parking spaces, comprised of 39 short-term and 117 long-term spaces. All bicycle parking will be located on Levels B1, 3, and 4. Bicycle valet service will be provided on the ground floor (accessible from the 5th Street entrance) for residents, hotel guests, and restaurant patrons 24 hours a day, seven days a week.

Access and Circulation

Vehicular access to the Project Site is currently provided via a 12-foot driveway along Hill Street. Operation of the Project will require a new one-way 20-foot driveway to be constructed along 5th Street adjacent to the Pershing Square Building. Vehicles will enter the Site via the Hill Street driveway and will exit the Site via 5th Street. Separate on-site vehicle drop-off/pick up areas will be accessible to residential and hotel guests. Additionally, a loading area will be designated on-site immediately adjacent to the Hill Street driveway. All Project driveways and access will be designed according to LADOT standards.



Vehicular Circulation Figure

Sustainability Features

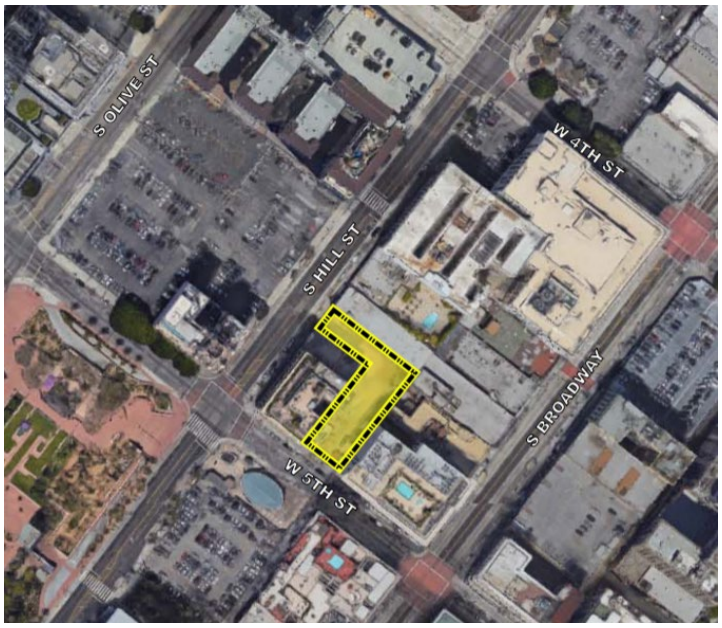
The Project will obtain either a Leadership in Energy and Environmental Design (LEED) certificate level, or equivalent and will comply with the 2017 Los Angeles Green Building Code (LAGBC), which is based on the 2016 California Green Building Standards Code (CalGreen). As proposed and conditioned the Project will provide a minimum of five (5) percent of the total code required EV-installed and a minimum of 20 percent of the total code-required parking spaces capable of supporting future electric vehicle supply equipment (EVSE). In addition, all exterior windows and glass used on building surface will be non-reflective or treated with an anti-reflective coating to minimize glare (e.g., minimize the use of glass with mirror coatings), consistent with applicable Energy and Building Code requirements, including Section 14.03 of the California Energy Code.

Background

Location and Setting

The Project Site is located in the Central City Community Plan area of the City of Los Angeles, within the Historic Core District of Downtown Los Angeles. The Historic Core is centrally located and thus provides a link to the Bunker Hill District, Financial Core District and South Park District to the Fashion District/Central City East District, and is generally characterized by government facilities, a high concentration of architecturally significant buildings, including nationally recognized historic theaters, office buildings, ground floor retail, and commercial buildings which have be converted to residential uses. The Historic Core District is generally bounded by the Bunker Hill District and Financial Core District to the west, the South Park District to the south, the Fashion District/Central City East District and Little Tokyo District to the east, and the Civic Center District to the north.

Additionally, the Project Site is located within the Greater Downtown Housing Incentive Area, Los Angeles State Enterprise Zone, Transit Priority Area, Adaptive Reuse Incentive Area, Downtown Center Business Improvement Area, and City Center Redevelopment Project Area of the Community Redevelopment Agency of Los Angeles (CRA/LA). It is not located within any specific plan or community design overlays.



Ariel View of the Project Site

Project Site and Characteristics

The Project Site is a relatively flat 0.38-acre (16,663 square-foot) Site, comprising three parcels that when combined, form an L-shaped Site occupying frontages on Hill Street and 5th Street. The Project Site is bounded by 5th Street and a commercial building (Silver City) to the south, Hill Street and an office/commercial building (Pershing Square Building) to the west and south, a four-story building and the 10-story Hotel Clark Building to the immediate north and the Metropolitan Building to the east. Pershing Square (Los Angeles Historic-Cultural Monument No. 480) is located at the southwest corner of 5th Street and Hill Street. The Site has approximately 33 feet of frontage along Hill Street and 59 feet of frontage along 5th Street. The Project Site is currently vacant but was previously developed with two mixed-use buildings, one each fronting along Hill

Street and 5th Street. In the 1990s a fire severely damaged the buildings and subsequently both buildings were demolished in 2004. Over 50 percent of the Site is excavated to a depth of approximately 10 feet, 5 inches (below grade). The remaining portion of the Project Site will be built at grade (along Hill Street). The Project Site is devoid of landscaping. There are no street trees and/or landscaping along 5th Street. One street tree is located along Hill Street, immediately south of the Project Site and will remain.

Existing Land Use Designation and Zoning

The adopted Central City Community Plan designates the Project Site for Regional Center Commercial with a corresponding zone of C2-4D (Commercial, Height District 4 with D Development Limitation). The Commercial zones permit a wide array of land uses, such as retail stores, offices, hotels, schools, parks, and theaters. The C2 Zone also allows any land use permitted in the C1.5 and C1 Zones, which, in turn, allow R4 and R3 Multiple Dwelling Zones, which include multiple dwelling units. In combination with the C2 Zone, Height District 4 permits a maximum FAR of 13:1 with no height limitation. However, the Project Site is restricted by a D Development Limitation, established by Ordinance No. 164,307 – Subarea 1095, which limits the total floor area of a building to 6:1, unless a transfer of surplus floor area is obtained from a Donor Site. In total, the Project will contain up to 255,812 square feet of floor area on a 16,663 square-foot (0.38-acre) lot, for a FAR of 13:1, in conjunction with a request for Transfer of Floor Area Rights (TFAR) from the Los Angeles Convention Center. As proposed, the Project will be a maximum height of 784 feet.

Central City Community Plan Update

It should be noted that the City of Los Angeles Department of City Planning is currently updating the Central City Community Plan in conjunction with the Central City North Community Plan, whose areas together make up Downtown Los Angeles (also known as DTLA), in a combined planning process referred to as the DTLA 2040 Plan. The purpose of the DTLA 2040 Plan is to develop and implement a future vision for Downtown Los Angeles that supports and sustains ongoing revitalization while thoughtfully accommodating projected future growth. As Downtown has been a rapidly changing setting within Los Angeles, it supports a collection of economic opportunities and entrepreneurship, people, culture, and distinct neighborhoods, and sits at the center of the regional transportation network.

Specifically, the following core principles will represent the long-term priorities for the DTLA 2040 Plan:

- Accommodate anticipated growth through 2040 in an inclusive, equitable, sustainable, and healthy manner while supporting and sustaining Downtown's ongoing revitalization
- Reinforce Downtown's jobs orientation
- Grow and support the residential base
- Strengthen neighborhood character
- Promote a transit, bicycle, and pedestrian friendly environment
- Create linkages between districts
- Create a World-Class Streets and Public Realm

The Project is located in the proposed "Transit Core" of the DTLA 2040 Draft Plan. As the Project provides housing and commercial uses within proximity of transit, it will be consistent with the Plan. The Project also supports the core principles and long-term priorities of the Plan by developing a vacant site with a mixed-use development, including housing that would accommodate anticipated growth through 2040, grow and support the residential base, support and sustain Downtown's ongoing revitalization, reinforce Downtown's jobs orientation, promote a transit, bicycle, and pedestrian friendly environment and strengthen neighborhood character.

Surrounding Land Uses

The Project Site is located in an urbanized area and generally surrounded by medium and high-rise residential and commercial buildings.

North: Properties located to the north of the Project Site along Hill Street are zoned C2-4D, and are improved with a four-story commercial building (immediately to the north of the Project Site) and the 10-story Hotel Clark Building; and a surface parking lot located at the southeast corner of Hill Street and 4th Street.

South: Properties located south of the Project Site along Hill Street and 5th Street are zoned C2-4D, with the exception of Pershing Square, which is zoned OX-1XL. Silver City is located south of the Site along Hill Street; the Pershing Square Building, a 16-story office/restaurant building, is located at the northeast corner of 5th Street and Hill Street; the Metro Pershing Square Subway Station is located south of the Site across 5th Street; and Pershing Square is located at the southwest corner of 5th Street and Hill Street.

East: Properties located to the east of the Project Site along Broadway are zoned [Q]C2-4D-CDO-SN, and are improved with the Metropolitan Building, a nine-story commercial and residential building (Los Angeles Historic-Cultural Monument No. 1019) and two four-story commercial buildings.

West: Properties located to the west of the Project Site along Hill Street are zoned C2-4D Zone, and are improved with a 13-story residential building (National Register ID No. 84000891 and Los Angeles Historic-Cultural Monument No. 278). A new mixed-use residential and commercial building, the Park Fifth Project, is under construction immediately across Hill Street.

Beyond these land uses are other high-rise buildings, including the 16-story International Jewelry Center, located one block south of the Project Site and the 52-story Gas Company Tower, located one block west of the Site. New high-rise residential developments include the Park Fifth project, (two 24-story mixed-use buildings across Hill Street currently under construction), PerLA on Broadway, a 35-story condominium tower located on the southeast corner of Broadway and 4th Street, the proposed Angel's Landing mixed-use development, a 27-story tower and 88-story tower, located at the northwest corner of 4th and Hill Street, and the proposed 4th and Hill mixed-use development, a 33-story tower located at the northeast corner of 4th Street and Hill Street.

Streets and Circulation

Hill Street adjoins the Project Site to the west, is a designated Modified Avenue II per the Mobility Plan 2035, requiring a width of approximately 86 feet; and is improved with paved roadway, concrete curb, gutter, and sidewalk.

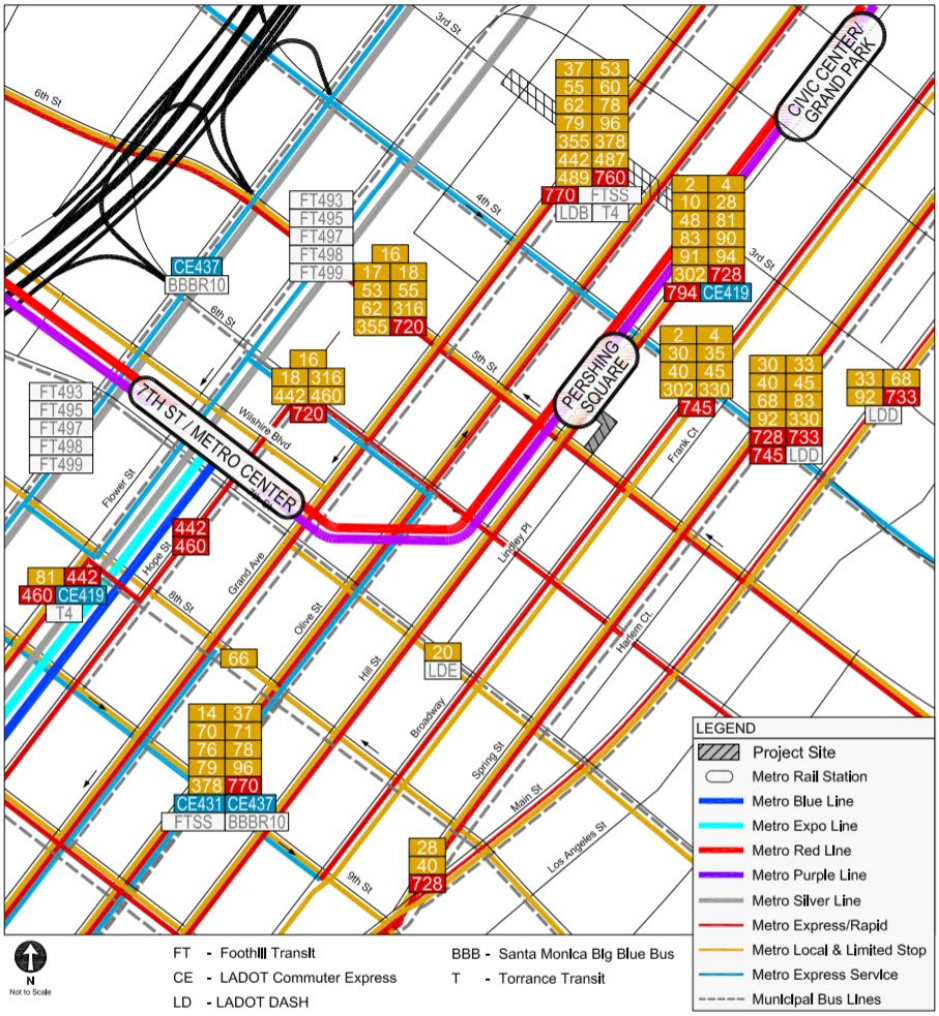
5th Street adjoins the Project Site to the south, is a designated Modified Avenue III per the Mobility Plan 2035, requiring a width of approximately 65 feet; and is improved with paved roadway, concrete curb, gutter, and sidewalk and one Sycamore tree.

4th Street adjoins the uses to the north of the Project Site, is a designated Modified Avenue III per the Mobility Plan 2035, requiring a width of approximately 60 feet; and is improved with paved roadway, concrete curb, gutter, and sidewalk.

Broadway adjoins the uses to the east of the Project Site, is a designated Modified Avenue II per the Mobility Plan 2035, requiring a width of approximately 80 feet; and is improved with paved roadway, concrete curb, gutter, and sidewalk.

Public Transit

The Project Site is located across the street and north of the Pershing Square Metro Rail Station (Red/Purple lines), is 0.5 miles from the 7th and Metro Center Rail Station (Red/Purple, Blue/Expo lines), and 1.1 miles from the Little Tokyo Metro Rail station (Gold line). These subway lines provide access to other transit lines operated by Metro. The Project Site is also served by Metro bus lines (Local (2, 4, 10, 16, 17, 18, 20, 28, 30, 33, 37, 40, 45, 48, 53, 55, 60, 62, 66, 68, 70, 71, 76, 79, 81, 83, 90, 91, 92, 94, and 96), Limited (316, 330, 355, 378, 487, and 489), Express (442 and 460), and Rapid (720, 728, 733, 745, 760, 770, and 794), and Silver Line), LADOT Commuter Express bus lines (419, 431, and 437), and LADOT Downtown Area Shuttle lines (DASH B, D, and E), Foothill Transit bus lines (493, 495, 497, 498, and 499), the Big Blue Bus line 10, and Torrance Transit line 4. Below is a figure which shows the bus lines that provide service in the immediate vicinity of the Project Site.



Existing Public Transit Service within the Project Vicinity

Bicycle Facilities

The City's Mobility Plan designates a network of bicycle facilities (Class I Bicycle Paths, Class II Bicycle Lanes, and Class III Bicycle Routes and Bicycle Friendly Streets) in the Project area. Class I bicycle paths are exclusive car free facilities that are typically not located within a roadway area. Class II Bicycle Lanes are in-road dedicated striped bicycle lanes. Class III Bicycle Routes are in-road bikeways where bicycles and motor vehicles share the roadway. Bicycle routes are identified routes for bicycles that are often painted with "sharrow" symbols to alert drivers to bicyclists sharing the roadways. The following bicycle facilities are provided within the study area:

Class II Bicycle Lanes

- Spring Street
- Main Street
- 2nd Street, west of Spring Street
- 7th Street, west of Main Street
- Grand Avenue, south of Wilshire Boulevard
- Olive Street, south of 7th Street

Class III Bicycle Routes

- Broadway, south of 3rd Street
- 2nd Street, east of Spring Street

Relevant Cases

Project Site:

VTT-74593: On August 2, 2019, the Advisory Agency approved Vesting Tentative Tract Map No. 74593, for the merger and re-subdivision of an approximate 16,663 square-foot site (0.38-acres) to create two (2) ground lots and four (4) airspace lots, creating a mixed-use development consisting of 190 hotel guest rooms, 31 residential condominium units, and 29,232 square feet of restaurant uses, above an eight-level above-grade podium structure including two levels of subterranean parking and three levels of above-grade parking. This decision was subsequently appealed by an aggrieved party, and is pending decision by the City Planning Commission concurrent with the subject case.

Ordinance No. 164,307: Effective January 30, 1989, the Ordinance established a "D" limitation that the floor area on the lot shall not exceed six times the buildable area of a lot, except for the following: a) project approved under Section 418 (Transfer of Floor Area) of the Redevelopment Plan for the Central Business District Redevelopment Project; b) projects approved under Section 415 (Rehabilitation and/or Remodeling of Existing Buildings) or Section 416 (Replacement of Existing Buildings) of the Redevelopment Plan; c) projects for which a density variation 50,000 square feet or less is granted under Section 437 of the Redevelopment Plan; d) projects for which a density variation of more than 50,000 square feet was granted under Section 437 of said Redevelopment Plan prior to the effective date of this ordinance; and e) projects approved pursuant to any procedure to regulate transfer of floor area as may be adopted by the City Council.

Surrounding Properties (500-foot radius):

ZA-2018-6022-ZV-TDR-SPR: On October 16, 2018, an application was filed requesting a Zone Variance, Transfer of Development Rights, and Site Plan Review for the partial reconstruction of

a mixed-use development containing 31 residential units and 2,689 square feet of ground floor retail space, located at 218 West 5th Street.

Case No. ZA-2017-2512-CU-CUB-SPR – On August 2, 2018, the Zoning Administrator approved a Conditional Use Permit for floor area averaging in unified developments, for the on-site sale and dispensing of a full-line of alcohol in up to 6,700 square feet of restaurant space, and a Site Plan Review for a project which creates and results in an increase of 50 or more dwelling units, located at 945 West 8th Street.

ZA-2018-3271-MCUP-CUX-SPPA-SPP: On June 7, 2018, an application was filed for the construction of a new mixed-use development with 120 condominiums, 450 apartments, 480 hotel guestrooms, 45,318 square feet for a charter school, and 50,504 square feet of commercial space, located at 361 South Hill Street. This case is currently pending.

DIR-2014-3941-SPR: On May 12, 2015, the Director of Planning conditionally approved a Site Plan Review for the construction, use and maintenance of a new seven-story and 24-story mixed-use project consisting of 660 residential apartment units and 13,872 square feet of commercial space in the C2-4D Zone, located at 432 S Olive Street.

CPC-2014-326-ZC-TDR-ZV-MSC-CDO-SPR: On March 12, 2015, the City Planning Commission approved a Zone Change, a Directors Decision, a CDO Plan Review, a Site Plan Review; City Planning Commission also denied as not necessary all requested Zone Variances and one of the two requested Director Decision for the new mixed-use development compromised of 450 residential condominium units and three commercial condominium units with 6,940 square feet of neighborhood serving ground floor retail and commercial space, located at 400 South Broadway.

DIR-2015-981-SPR-DD: On March 11, 2015, an application for a new mixed-use building with 428 residential units and 2,894 square feet of commercial space was filed for a Director's Decision on the requested Site Plan Review, located at 340 South Hill Street.

ZA-2014-1593-CUB-CUX-ZV: On January 23, 2015, the Zoning Administrator approved Conditional Use Permit to allow the sale and dispensing of a full line of alcohol, and public dancing and live entertainment, and a Zone Variance to allow zero parking spaces in lieu of the seven parking spaces required for a new restaurant and nightclub, located at 307 West 4th Street.

ZA-2013-3197-CU-ZV-ZAA-SPR: On April 25, 2014, the Zoning Administrator approved a Conditional Use Permit, Zone Variances to allow 88 trees in lieu of the required 154 trees for 615 residential units, and 545 standard parking stalls in lieu of the required 615 standard stalls, and a Zoning Administrator's Adjustment to waive the transitional height requirements for a C2-4D Zone property located within 100 feet of an OS Zone for a project with a total of 615 residential units and 16,128 square feet of commercial uses, located at 432 South Hill Street.

Case No. CPC-2009-3416-TDR-CUB-CU-CUW-ZV-SN-DA-ZAD-SPR-GB – On March 4, 2011, the City Council approved a Transfer of Floor Area Rights; Master Conditional Use Permit; Conditional Use; Variance; Sign Supplemental Use District; Director Determination; Site Plan Review; Development Agreement; and Land Use Equivalency and Design Flexibility Program, located at 916, 925 and 937 West 7th Street; 655, 685, 695 and 699 Figueroa Street; 900 and 930 West Wilshire Boulevard (also known as "Wilshire Grand Center").

ZA-2009-979-CUB-CUX-ZV: On July 14, 2009, the Zoning Administrator approved a Conditional Use Permit to allow the sale of a full line of alcohol, a Conditional Use Permit to allow public dancing and live entertainment, and a Zone Variance to permit required parking through a lease agreement in lieu of a covenant, located at 448 South Hill Street.

Requested Actions

Transfer of Development Rights
A Transfer of Floor Area Rights (TFAR) allows the transfer of unused allowable floor area of a lot from a Donor Site to a Receiver Site for projects involving transfers of 50,000 square feet or greater. The Applicant requests an approval of a TFAR from the Los Angeles Convention Center (Donor Site) at 1201 South Figueroa Street for up to 155,834 square feet to the Project Site (Receiver Site) permitting a maximum 13:1 FAR in lieu of the maximum permitted 6:1 FAR. It should be noted that the Applicant's original TFAR request, as reflected in the Notice of Public Hearing distributed on August 19, 2019, was for 160,711 square feet; however the Applicant submitted an updated application on August 20, 2019, requesting a total of 155,834 square feet.

Master Conditional Use Permit
A Master Conditional Use Permit (MCUP) to allow the sale and dispensing of a full line of alcoholic beverages within four restaurants and bars and hotel uses.

Conditional Use Permit
A Conditional Use Permit (CUX) to allow dancing within the hotel banquet room.

Zoning Administrator's Determination
A Zoning Administrator's Determination to allow a building height of 250 feet for the portion of the building located on a C2-zoned lot within 100 feet of an OS Zone (Pershing Square), in lieu of the otherwise maximum height 61 feet, as permitted by LAMC Section 12.21.1 A.10.

Director Decision
A Director's Decision to permit a 10-percent reduction in the required area for planting of ground cover, shrubs, and trees within the common open space for a minimum of 15 percent of the total required common open space. It should be noted that the Applicant's original request, as reflected in the Notice of Public Hearing distributed on August 19, 2019, was to permit a 10-percent increase in the qualifying area of recreation rooms up to a maximum of 35 percent of the total required usable common open space; and a 10-percent reduction in the required area for planting of ground cover, shrubs, and trees within the common open space. However, the request to permit a 10-percent increase in the qualifying area of recreation rooms was not necessary and is, therefore, no longer requested. The removal of this request does not modify any existing details of the Project.

Site Plan Review
A Site Plan Review approval for a project that results in the creation of 50 or more dwelling units and/or guest rooms.

Vesting Tentative Tract Map
A Vesting Tentative Tract Map (VTT-74593) for the merger and re-subdivision of a 0.38-acre site into two ground lots and four airspace lots for hotel and condominium purposes, creating a mixed-use development consisting of 190 hotel rooms, 31 residential condominiums units, and 29,232 square feet of restaurant uses was approved on May 8, 2019 by the Advisory Agency. The decision of the Advisory Agency was subsequently appealed and pending decision before the City Planning Commission concurrent with the subject case.

Environmental Impact Report (EIR)
The City of Los Angeles released the Final EIR, ENV-2016-3466-EIR (SCH No. 2017031018), on April 26, 2019 detailing the relevant environmental impacts resulting from the Project. The EIR identified Noise and Vibration (Project and Cumulative On-Site Construction Noise and Project

and Cumulative Off-Site Vibration Related to Human Annoyance During Construction) as areas where impacts would result in significant and unavoidable impacts.

On August 2, 2019, the Deputy Advisory Agency certified the EIR in conjunction with the approval of Case No. VTT-74593. This decision was subsequently appealed by an aggrieved party, and is pending decision by the City Planning Commission concurrent with the subject case. Therefore, it is recommended that the City Planning Commission certify the EIR as part of their Actions.

Public Hearing and Noticing

Comments from identified state, regional and local agencies, and member of the public, on the scope of the EIR were solicited through a Notice of Preparation (NOP) process. The NOP was mailed to owners and occupants within a 500-foot radius of the Project Site, and circulated for a 30-day review period starting on March 6, 2017 and through April 5, 2017.

On November 1, 2018, a Notice of Availability (NOA) of the Draft EIR was mailed to owners and occupants within a 500-foot radius of the Project Site, as well as to commenters and interested parties from the NOP, posted on the Department of City Planning website and published in the Los Angeles Times. The Draft EIR was circulated for a 46-day public comment period beginning on November 1, 2018 and ending on December 17, 2018.

On April 26, 2019, a Notice of Completion and Availability (NOC/NOA) of the Final EIR was distributed to all owners and occupants within a 500-foot radius of the Project Site, as well as to all commenters and interested parties from the Draft EIR; and posted on the Department of City Planning website. A separate public hearing notice was mailed to all owners and occupants within 500 feet of the Project Site, as well as to all interested parties, and posted at the Project Site on April 26, 2019.

On May 8, 2019, a joint public hearing was held by the Deputy Advisory Agency and a Hearing Officer on behalf of the City Planning Commission at 10:10 a.m. in City Hall, Room 1070 (see Public Hearing and Communications, Page P-1).

On August 2, 2019, the Letter of Decision for VTT-74593 was mailed to all interested parties who signed in at the joint hearing on May 8, 2019. This decision was subsequently appealed and is pending decision by the City Planning Commission concurrent with the subject case.

Finally, a notice was posted at the Project Site on August 30, 2019, 10 days prior to the City Planning Commission Meeting.

<u>Project Analysis (Site Planning and Architectural Design)</u>

Downtown Design Guide

The Project is located within the boundaries of the Downtown Design Guide in Historic Core neighborhood. The Downtown Design Guide supplements LAMC provisions and applies to all projects within its boundaries and helps shape well-designed projects by setting forth standards and guidelines for sustainable design, sidewalks and setbacks, ground floor treatment, parking and access, massing and street wall, on-site open space, architectural detail, streetscape improvement and signage prepared at a finer gran specifically for the Downtown neighborhood districts. The Design Guide also encourages Downtown Los Angeles to develop as a more sustainable community with an emphasis on walkability and the making of great streets, districts and neighborhoods. The focus of the Design Guide is the relationship of the buildings to the street, including sidewalk treatment, the character of the building as it adjoins the sidewalk and connections to transit.

The Project is consistent with the Design Guide as it provides a ground floor that will be open to the street along 5th Street and will be accessible to pedestrians, and generous sidewalk widths that encourage pedestrian activity. The scale of the eight-story podium and four-story cutout are consistent with the height of surrounding buildings, including the adjacent Pershing Square Building to the west and south, and the Metropolitan Building to the immediate east. Additionally, the podium's horizontal elements will align with the datum lines, cornices, scale, and proportion of the two adjacent buildings. The Project combines a mix of uses that will be open 24-hours, seven days a week for the community and visitors, which includes outdoor/indoor dining, seating, bike parking and neighborhood circulation to and from the adjacent spaces, all positioned to activate the street and contribute to a 24/7 livable, walkable community.

As a Project Site that is designated for Regional Center Commercial and a development within the Downtown Center, the Project will generally comply with the standards and guidelines by providing a streetscape which promotes pedestrian activity, and by developing a vacant site, immediately across the street from to the Pershing Square Metro Station, with hotel, residential, and restaurant uses. The Project will improve the pedestrian walkability by providing new neighborhood-serving uses, including restaurant and bar uses, in a neighborhood that is generally characterized by residential and office uses, as well as ground floor retail and restaurant uses.

The Project will be designed with window treatments, contemporary architectural design features, and building articulations and will include a variety of building materials, such as different types of glass, concrete, metal, and stone, that would provide horizontal and vertical articulation that break up the building planes and reduce the visual mass of the building. At the higher residential levels, the building will intersperse cantilevered terraces, pools and spas. These varied surface materials will provide horizontal and vertical articulation that break up the building planes and reduce the visual mass of the building. Glass used in building façades will be non-reflective or treated with a non-reflective coating to minimize glare; glazing used would have the minimum reflectivity needed to achieve energy efficiency standards.

Walkability Checklist

The Citywide Design Guidelines complement and expand upon the Walkability Checklist, which provides guidance and tools for encouraging pedestrian activity, promoting high quality urban form, and place-making within project sites. The Checklist reinforces many of the same principles identified in the Citywide Design Guidelines, and addresses such topics as building orientation, building frontage, landscaping, off-street parking and driveways, building signage, and lighting within the private realm; and sidewalks, street crossings, on-street parking, and utilities in the public realm.

a. Sidewalks. The primary objectives defined for sidewalks address facilitating pedestrian movement and enriching the quality of the public realm by providing appropriate connections and street furnishings in the public right-of-way. Strategies that will be incorporated into the Project include creating a continuous and predominantly straight sidewalk and open space; creating a buffer between pedestrians and moving vehicles by proposing an on-site hotel drop-off/pick-up area along 5th Street; and providing a clearly defined project entrance immediately accessible from 5th Street.

b. Crosswalks and Crossings. The Walkability Checklist strategies regarding crosswalks and crossings do not apply to the Project because LADOT does not require, nor does the Project propose, to make any improvements to the existing crosswalks and crossings.

c. On-Street Parking. The Walkability Checklist strategies regarding on-street parking do not apply to the Project because no internal roadways are located or proposed within the Project Site.

d. Utilities. The primary objectives defined for utilities address minimizing the disruption of views and visual pollution created by utility lines and equipment. The Project has not indicated whether or not any utilities will be provided. However, as conditioned, any rooftop equipment and/or utility areas shall be screened or located within the building, so as not to detract from the visual character of the Project Site. In addition, all major utilities will be installed underground. Utilities will be located away from building entrances. As such, the Project will support the implementation strategies related to the undergrounding and screening of utilities.

e. Building Orientation. The primary objectives defined for building orientation address the relationship between building and street as a means of improving neighborhood character and the pedestrian environment. Strategies that will be incorporated into the Project include designing grade level entrances from the public right-of-way for pedestrians; making primary entrances to buildings visible and accessible from the street and sidewalk; maintaining at least one entrance from the public way at retail establishments with doors unlocked during regular business hours; locating buildings at the front property line or at the required setback to create a strong street wall; and using architectural features to provide continuity at the street where openings occur. The Project will result in an improved streetscape that will promote pedestrian activity by developing a vacant site, immediately across the street from to the Pershing Square Metro Station, with hotel, residential, and restaurant uses. The Project will enhance the pedestrian walkability by providing new neighborhood-serving uses, including restaurant and bar uses, in a neighborhood that is generally characterized by residential and office uses, as well as ground floor retail and restaurant uses. The Project will further enhance pedestrian walkability by making the primary entrance to the building accessible from the street and sidewalk.

f. Off-Street Parking and Driveways. The primary objectives defined for off-street parking and driveways address the safety of the pedestrian is primary in an environment that must accommodate pedestrians and vehicles. The Project includes two subterranean and three above-grade parking levels. The three-above ground parking levels, visible from both Hill Street and 5th Street, will be screened by a water feature in which water will cascade from the top of Level 6 into a catch basin on Level 2. Strategies that will ensure pedestrian safety with regards to off-street parking and driveways include accommodating vehicle access to and from the Project Site with as few driveways as possible; illuminating all parking areas and pedestrian walkaways; on-site dedicated valet drop-off/pick-up areas for residential and hotel guests; automated vehicle stackers; a separate on-site dedicated loading area, located away from the pedestrian entrance to the Project.

g. On-Site Landscaping. The primary objectives defined for on-site landscaping address the contribution to the environment, increased pedestrian comfort, added visual relief to the street, and extension of the sense of the public right-of-way. Landscaping, including 20 on-site trees, will be incorporated throughout the various outdoor seating areas, outdoor bar and restaurant spaces, and the pool area. Where appropriate, landscaping will be used to provide a separation between uses (i.e. restaurant use, bar use, and outdoor seating area) and will be comprised of non-invasive and drought tolerant plant materials.

h. Building Façade. The primary objectives defined for building facade address design of visible building facades to create/reinforce neighborhood identity and a richer pedestrian environment. The Project will implement strategies related to building façades including

incorporating different textures, colors, materials, screening, and distinctive architectural features that add visual interest; adding scale and interest to building façades by articulated massing; discouraging blank walls; and providing and open ground floor. Specifically, the ground floor will be open to the street along 5th Street and would be accessible to pedestrians. The above-grade parking levels will be screened by a water feature that would break up the vertical building planes. The four-story cutout will be an open volume in the building between the top of the podium on Level 8, and the indoor/outdoor sky lobby area on Level 13. The vertical concrete core will be visible along the eastern façade. Glass used in building façades would be non-reflective or treated with a non-reflective coating to minimize glare. The north, west, and south façades will consist primarily of painted aluminum glazed curtain wall and window wall systems. The majority of the Project, as viewed from the surrounding streets and residences, will be composed of some combination of metal, glass, and possibly stone or precast concrete, and would utilize contemporary architectural design features and building articulations. In particular, cantilevering pools and terraces will be located along the northern, western, and southern façades which will create a visual interested and enhanced pedestrian experience along Hill Street and 5th Street.

i. Signage and Lighting. The primary objectives defined for signage and lighting address strengthening the pedestrian experience, neighborhood identity and visual coherence with the use of building signage and lighting. No signage has been proposed at this time. In addition, as conditioned, all pedestrian walkways and vehicular access ways shall be illuminated with lighting fixtures and harmonious with the building design.

Urban Design Studio Professional Volunteer Program

The Project was reviewed by Urban Design Studio staff and the Professional Volunteer Program (PVP) on October 2, 2018, resulting in the following comments with regard to the pedestrian-first design and climate-adapted design:

Pedestrian-First

- The proposed curb cuts along 5th Street will create new pedestrian and vehicle conflicts.
- Provide a one-way ingress driveway along 5th Street and a one-way egress driveway along Hill Street.
- Provide an on-site valet pick-up and drop-off area.
- Improve the 5th Street pedestrian entrance.
- Provide pedestrian access from Hill Street.
- Incorporate a ground-floor use to activate this portion of the Project.

Climate-adapted design

- Incorporate solar into the Project

In response to the PVP comments received, the Applicant made the following changes:

- Improved pedestrian access along 5th Street by removing the originally proposed porte-cochere.
- Provided an ingress only driveway along Hill Street and exit via an egress only driveway along 5th Street.
- Incorporated an on-site residential and hotel valet drop-off/pick-up area into the Project's design.

The Applicant explained that due to the Site's constrained footprint and the proposed vehicular circulation, no pedestrian access would be provided along Hill Street.

Urban Design Studio

The Department of City Planning's Urban Design Studio reviewed the Project on June 7, 2018 and on August 14, 2019. The initial meeting focused on questions regarding several Project features including how the 5th Street façade, specifically the water feature screening the parking podium, will function; the introduction of two new curb cuts proposed along 5th Street; and the potential for three parking podium levels to be adaptable for other uses in the future. During this meeting, the Applicant's Representative explained that the water feature is intended to provide a focal point at the main entry to the Site as the water descends from Level 6 into a catch basin at Level 2. The water used will be re-circulated and the parking podium design will allow for natural ventilation.

In regards to the adaptability of the podium parking, the Applicant's Representative confirmed that due to the constraints of the Site, the parking levels will be serviced via semi-automatic parking stackers which can be removed in the future, if necessary. Following the meeting, the Applicant's Team considered different vehicle circulation scenarios and has since removed the proposed porte-cochere, and reducing the number of new curb cuts along 5th Street.

During the August 2019 meeting, staff reviewed the incorporated changes and provided additional comments regarding the vertical structural core, including that the proposed concrete material, the number and placement of ground floor elevators, signage, and ground floor programming. The Applicant's Representative confirmed that signage will be provided, though not as part of this application. Based on the feedback provided by Planning staff, the food and beverage elevators located closest to the sidewalk have been rotated 90 degrees, in order to open up the ground floor and provide additional safety (See Sheet A2.01A of Exhibit A-1). Additionally, the Applicant is considering several modifications to the vertical core; however, these modifications have not been submitted to date. [3]

Transfer of Floor Area (TFAR) Public Benefits Transfer Plan

As previously described, the Project Site is located within the Central City Community Plan area, designated as Regional Center Commercial with a corresponding zone of C2-4D, subject to the D Limitations contained within Ordinance No. Ordinance No. 164,307 – Subarea 1095. The D Limitation restricts the floor area of buildings to a maximum of six times the buildable area, or a 6:1 FAR. Projects may exceed the permitted FAR through rehabilitation of existing buildings, consistent with provisions of the redevelopment plan, or by receiving approval of a transfer of floor area through a process adopted by the City Council.

The Project will develop a vacant site with a mixed-use development consisting of 190 hotel guest rooms, 31 residential condominium units, and 29,232 square feet of restaurant uses. In total, the Project will contain up to 255,812 square feet of floor area on a 16,663 square-foot (0.38-acre) lot, for a floor area ratio (FAR) of 13:1.

The Applicant has requested a transfer of 155,834 square feet of floor area from a Donor Site, located at 1201 South Figueroa Street (Los Angeles Convention Center), to permit a maximum 13:1 FAR on the Receiver Site (the Project Site). As part of the request, the Applicant has submitted a Transfer Plan indicating the proposed distribution of the Public Benefit Payment required pursuant to LAMC Section 14.5.9. The Public Benefit Payment requires that at least 50 percent of the payment be provided as a cash payment by the Applicant to the Public Benefit

3 At the time of writing the renderings have not been updated to reflect the proposed location of the food and beverage elevators and the building's eastern façade includes the vertical core with the concrete material, as originally proposed.

Trust Fund, unless otherwise approved by City Council. The remaining 50 percent of the payment may be provided by the direct provision of Public Benefits by the Applicant.

Pursuant to LAMC Section 14.5.5, Planning staff engaged in TFAR Early Consultation Session meetings with representatives from the Mayor's Office, and the Office of the Chief Legislative Analyst to discuss any development issues regarding the Project, including parking and transportation requirements, transfers, and public benefits. The committee reviewed the public benefits initially proposed by the Applicant and identified two potential areas for the direct provision of public benefits: affordable housing and public open space. Based on the issues discussed at the Early Consultation Session meetings, the Applicant has proposed the following revised Transfer Plan:

Public Benefit Payment Transfer Plan		
Total Public Benefit Payment		$3,634,848.56
50% Public Benefit Cash Payment		$1,817,424.28
50% Public Benefit Direct Provision		$1,817,424.28
Allocation of Public Benefit Direct Provision		
Department of Recreation and Parks (Pershing Square Renew)	45%	$817,424.28
City of Los Angeles Citywide Affordable Housing Fund	55%	$1,000,000.00
Total	100%	$1,874,302.61

A total of $817,424.28 for the Department of Recreation and Parks for Pershing Square improvements, and $1,000,000 for the City of Los Angeles Citywide Affordable Housing Fund for affordable housing projects.

<u>Issues and Other Details</u>

Driveway Ingress/Egress from Figueroa Street

Concerns were expressed early in the design process regarding the Project's proposal to provide ingress/egress to and from 5th Street as there are no curb cuts along this portion of the sidewalk and the area is heavily traversed by pedestrians. Several alternatives were recommended by the Urban Design Studio, PVP, and Major Projects Staff. The Applicant studied several different vehicular circulation scenarios and determined that the porte-cochere originally proposed along 5th Street could be redesigned and a valet hotel and residential queuing area could be located on-site. The Project's ingress driveway along Hill Street and egress driveway along 5th Street was selected in agreement with City Staff in order to minimize pedestrian and vehicle impacts.

Adjacency to the Broadway Theater and Entertainment District

The Project Site is located immediately adjacent to the western boundary of the Broadway Theater and Commercial District. The intent of the Broadway Design Guide is to provide guidance and direction in the rehabilitation of existing structures and the design of new buildings to improve the appearance, enhance the identity and promote the pedestrian environment of the Broadway corridor and to encourage the development of a regional entertainment district centered around its twelve historic theaters. The Project's eastern façade will be visible from Broadway, specifically

the hotel and residential tower. Along the eastern façade, the vertical concrete core will be centrally located within the Project's glazed curtain wall and window wall systems. The Applicant has designed the Project's cantilevered terraces, pools, and spas to extend out from the north, south, and west facades, but will not extend towards Broadway. While the vertical core is structurally necessary City Staff recommended that a more refined material will be appropriate adjacent to Broadway.

Requested Amount of Transfer of Floor Area

Pursuant to LAMC Section 14.5.6, the Applicant is requesting approval of TFAR from the City of Los Angeles-owned Convention Center (Donor Site), located at 1201 South Figueroa Street, for up to 155,834 square feet to the Project Site (Receiver Site), thereby permitting a maximum of 13:1 FAR in lieu of the otherwise permitted 6:1 FAR. If approved, the TFAR request of 155,834 square feet will permit 255,812 square feet to be built on the Project Site. As noted on the Project's hearing notice, the Applicant originally requested a TFAR request for 160,711 square feet. On August 14, 2019, the Applicant submitted an updated TFAR Application, modifying their TFAR request for a total of 155,834 square feet, in lieu of the originally request 160,711 square feet. This updated request is hereby reflected in the Request Actions.

Cantilevered Pools and Spas

The Project proposes 12 private residential cantilevered pools and 11 private residential cantilevered spas on Levels 39 through 50. The cantilevered pools/spas are supported with structural steel frames. The frames will encapsulate the pools/spas along all edges and corners and are an integrated with the high-rise columns and floor beams (i.e., the framing supporting the building floors). Thus, they are an extension of the structure and not a separate piece attached to the building. The glass panels that will form the bottom and sides are similar to the vertical glass panels that will make up the building façade. A structural analysis was prepared to determine how the pools/spas will perform as well as how the pools/spas will affect the overall building during a seismic event. The analysis concluded that with 42-inch high sides and a windscreen around the decks, water is not anticipated to spill over the side of the pools/spa and instead will remain confined. High-rise buildings with rectangular geometry exhibit a high sensitivity to wind-induced lateral sway. The incorporation of the cantilevered pools/spas will reduce wind impacts to the building.

Parking Podium

The Project proposes an eight-story podium, including three levels of above-grade parking. The above ground parking levels will be visible from both Hill Street and 5th Street, naturally ventilated, and screened by a water feature in which water will cascade from the top of Level 6 into a catch basin on Level 2. The above grade parking on both 5th and Hill Street is concealed primarily by the water feature, which will periodically be turned-off for maintenance purposes. A visually opaque glass wall system with open joints for ventilation will be placed behind the cascading water feature and serve as a secondary means to conceal above grade parking from view. In addition to the water feature and glass wall systems, interior concrete knee walls will be placed at the edge of the floor, just inside the glass wall system. The walls will be 42 inches in height and shield any vehicular headlights from being visible.

<u>Conclusion</u>

The Proposed Project results in a development that includes a beneficial and complementary mix of uses, which will develop a vacant infill site adjacent to the Pershing Square Metro Station, and offer a variety of amenities and open space features. The Project's location, uses, height, and other features will be compatible with the surrounding neighborhood, and will not adversely affect

public health, welfare, and safety. Furthermore, overriding considerations of economic, social, aesthetic, and environmental benefits for the Project justify adoption of the Project. Based on the information submitted, the testimony received at the public hearing, the analysis in the EIR, and the whole of the record, the Department of City Planning recommends that the City Planning Commission approve the Project as proposed.

CONDITIONS OF APPROVAL

Pursuant to LAMC Sections 14.5.6, 12.24 W.1, 12.24 W.18, 12.21 G and 16.05, the following conditions are hereby imposed upon the use of the subject property.

Development Conditions

1. **Site Development.** The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit A stamp dated July 29, 2019, except as may be revised as a result of this action. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning, with each change being identified and justified in writing. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.

2. **Development Services Center.** Prior to sign-off on building permits by the Department of City Planning's Development Services Center for the project, the Department of City Planning's Major Projects Section shall confirm, via signature, that the project's building plans substantially conform to the conceptual plans stamped as Exhibit "A", as approved by the City Planning Commission.

   Note to Development Services Center: The plans presented to, and approved by, the City Planning Commission (CPC) included specific architectural details that were significant to the approval of the project. Plans submitted at plan check for condition clearance shall include a signature and date from Major Projects Section planning staff to ensure plans are consistent with those presented at CPC.

3. **Transfer of Floor Area Rights.**

   a. **Floor Area**. The Development shall not exceed a maximum Floor Area Ratio (FAR) of 13:1 and a total floor area of 255,812 square feet. The Transfer Payment and Public Benefit Payment shall be pro-rated to the amount of TFAR being acquired in the event the maximum amount of TFAR is not required. The base lot area used to calculate the base floor area shall be 99,978 square feet with a 6:1 FAR. Changes to the Project that result in a 20 percent decrease in floor area, or more, shall require new entitlements.

   b. **TFAR Transfer Payment.** The Project is subject to and shall pay a TFAR Transfer Payment in conformance with Section 14.5.6 through 14.5.12 of the Code. Such payment shall be based on the actual amount of floor area transferred to the Project site.

      i. The total amount of floor area authorized to be transferred from the Los Angeles Convention Center by this action shall not exceed 155,834 square feet. The total floor area of the Project Site (Receiver Site) shall not exceed 255,812 square feet.

      ii. The Applicant shall provide a TFAR Transfer Payment consistent with LAMC Section 14.5.10 in the amount of $5 per square foot, or $3,634,848.55, for the transfer of 155,834 square feet from the Los Angeles Convention Center located at 1201 South Figueroa Street (Donor Site) to the Project Site (Receiver Site).

   c. **Public Benefit Payment.** The Project is subject to and shall pay a Public Benefit Payment in conformance with Section 14.5.6 through 14.5.12 of the Code.

i. The Applicant shall provide a Public Benefit Payment consistent with LAMC Section 14.5.9 in the amount of $3,634,848.85 provided that at least 50 percent (or $1,817,424.28) of the Public Benefit Payment consist of cash payment by the Applicant to the Public Benefit Trust Fund. Direct provision payments shall be paid directly to the recipients and not to the City of Los Angeles. Proof shall be provided in the form of a cleared check or bank statement and a letter signed by the Executive Director of each organization. Consistent with the TFAR Ordinance, the Project shall provide 50 percent (or $1,817,424.28) of the Public Benefit Payment by directly providing the following public benefits:

1. A payment to the Los Angeles Citywide Affordable Housing Fund in the amount of $1,000,000 (55 percent). The funds shall be utilized for construction and operation of affordable housing developments.

2. A payment to the Pershing Square Renew Fund in the amount of $817,424.28 (45 percent). The funds shall be utilized towards redevelopment and beautification of Pershing Square Public Park.

ii. At the time of issuance of the Certificate of Occupancy for the Project, the Applicant shall provide an update to the file from each recipient of direct provisions detailing how the money has been spent thus far.

iii. The Applicant shall pay the required Public Benefit Payment, less the cost of the Direct Provision of Public Benefits, in cash to the Public Benefit Trust Fund, pursuant to the terms of Transfer of Floor Area Rights Ordinance No. 181,574, Article 4.5 of the LAMC. The Public Benefit Payment proof of cash payment and direct provision of public benefits is required upon the earliest occurrence of either:

1. The issuance of the building permit for the Project; or

2. Twenty-four months after the final approval of the Transfer and the expiration of any appeals or appeal period; should the Applicant not make the required payments within the specified time, subject approval shall expire, unless extended by the Director in writing.

4. **Uses.** The project shall be limited to a maximum of 190 hotel guest rooms, 31 residential condominium units, and up to 29,232 square feet of restaurant uses.

5. **Height.** The Project shall be limited to a maximum height of 784 feet.

6. **Cantilevered terraces, pools, and spas.** The cantilevered terraces, pools, and spas shall be provided in substantial conformance with Exhibit A, dated July 29, 2019. Any removal or modifications to these features shall not be made without prior review by the Department of City Planning, and written approval by the Director of Planning, with each change being identified and justified in writing. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.

7. Sustainability.

a. The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.

b. The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.

c. Solar and Electric Generator. Where power poles are available, electricity from power poles and/or solar-powered generators rather than temporary diesel or gasoline generators shall be used during construction, In particular, solar-powered generators shall be used for the construction trailer(s) on-site.

d. Solar Power. A minimum of 25 percent of the upper roof shall be installed with solar panels shall be installed on the building rooftop as shown on the roof plan provided as a part of an operational photovoltaic system to be maintained for the life of the project. The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.

8. Parking.

a. **Vehicle Parking.** The minimum number of residential and commercial automobile parking spaces shall be provided as required by LAMC Section 12.21 A.4(a)(i), and (p). Up to a maximum of 30 percent of the required automobile parking for commercial uses and 15 percent of the of the required automobile parking for residential uses may be replaced by bicycle parking at a ratio of one vehicle parking space for every four bicycle parking spaces provided.

b. **Electric Vehicle Parking.** The project shall include at least 20 percent of total code required parking spaces for all types of parking facilities as capable of supporting future Electric Vehicle Supply Equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Five (5) percent of the total code required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the 20 percent or five percent results in a fractional space, round up to the next whole number. A label stating “EVCAPABLE” shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

c. **Bicycle Parking.** Bicycle parking shall be provided consistent with Ordinance No. 185,480, which amended Sections 12.03, 12.21 and 12.26 of the Los Angeles Municipal Code to update the bicycle parking regulations, effective on May 9, 2018.

d. Bicycle valet service will be provided for residents, hotel guests, and restaurant patrons 24 hours a day, seven days a week. An on-site designated pick-up/drop-off area will be located on the ground floor near the 5th Street pedestrian entrance.

e. <u>Prior to the issuance of a building permit</u>, the driveway and parking plan shall be submitted for review and approval to the Department of Transportation.

9. Parking Podium.

a. Any above-grade parking structure shall be designed to be utilized and easily repurposed to other uses, including gallery or event spaces.

b. The height of the parking level shall have sufficient clearance to be adaptable to non-parking uses. Once converted, the building shall permit a minimum floor to ceiling height of nine feet for commercial uses and eight feet for residential uses.

c. Parking structures or that portion of a building or structure that is used for parking at grade or above grade shall be designed to minimize vehicle headlight and parking structure interior lighting impacts ("spillover") on adjacent streets and properties.

10. Open Space. The Project shall provide open space as follows:

a. A minimum of 4,975 square feet of open space, in substantial conformance with the architectural plans stamped Exhibit A, dated July 29, 2019.

b. A minimum of 746 square feet (15 percent) of the common open space areas shall be planted with ground cover, shrubs, and trees within the common open space.

11. Pool. Residents and hotel guests shall have access to the main pool during the designated pool hours.

12. Landscaping. Prior to the issuance of a building permit, a landscape and irrigation plan shall be submitted to the Department of City Planning for approval. The landscape plan shall be in substantial conformance with the landscape plan stamped Exhibit A.

a. **Tree Wells.**

i. The minimum depth of tree wells shall be as follows:
1. Minimum depth for trees shall be 42 inches.
2. Minimum depth for shrubs shall be 30 inches.
3. Minimum depth for herbaceous plantings and ground cover shall be 18 inches.
4. Minimum depth for an extensive green roof shall be three inches.

ii. The minimum amount of soil volume for tree wells shall be based on the size of the tree at maturity as follows:
1. 600 cubic feet for a small tree (less than 25 feet tall at maturity).
2. 900 cubic feet for a medium tree (25-40 feet tall at maturity).
3. 1,200 cubic feet for a large tree (more than 40 feet tall at maturity).

b. Any trees that are required pursuant to LAMC Section 12.21 G and are planted on any podium or deck shall be planted in a minimum three-foot planter.

13. Stormwater/irrigation. The project shall implement on-site stormwater infiltration as feasible based on the site soils conditions, the geotechnical recommendations, and the City of Los Angeles Department of Building and Safety Guidelines for Storm Water Infiltration. If on-site infiltration is deemed infeasible, the project shall analyze the potential for stormwater capture and reuse for irrigation purposes based on the City Low Impact Development (LID) guidelines.

14. Trash/Storage.

a. All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.

b. Trash receptacles shall be stored in a fully enclosed building or structure, constructed with a solid roof, at all times.

c. Trash/recycling containers shall be locked when not in use.

15. Mechanical Equipment. Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties and the public right-of-way. All screening shall be setback at least five feet from the edge of the building.

16. Light. All outdoor and parking lighting shall be shielded and down-cast within the site in a manner that prevents the illumination of adjacent public rights-of-way, adjacent properties, and the night sky (unless otherwise required by the Federal Aviation Administration (FAA) or for other public safety purposes).

a. Lighting Design. Areas where nighttime uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel. All pedestrian walkways, storefront entrances, and vehicular access ways shall be illuminated with lighting fixtures. Lighting fixtures shall be harmonious with the building design. Wall mounted lighting fixtures to accent and complement architectural details at night shall be installed on the building to provide illumination to pedestrians and motorists.

17. Glare. The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

18. Reflectivity. Glass used in building façades shall be non-reflective or treated with a non-reflective coating in order to minimize glare from reflected sunlight.

19. Noise. All exterior windows having a line of sight of an Avenue (Major or Secondary Highway) shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto. Or, the applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

20. Signage.

a. All future signage shall be limited to what is permissible under the Los Angeles Municipal Code and the Downtown Design Guide.

b. There shall be no off-site commercial signage on construction fencing during construction.

21. Prior to the issuance of the building permit, a copy of the letter of decision for Case No.VTT-74593 shall be submitted to the satisfaction of the Development Services Center.

Conditional Use Permit Conditions

22. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

23. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit A, except as may be revised as a result of this action.

24. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

25. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.

26. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

Authorized herein is the sale, dispensing, and consumption of a full line of alcoholic beverages for on-site consumption in conjunction with:

a. Restaurants/bars and the banquet room located on Levels 7, 8, 14, and 16;

b. Mini-bars within the hotel guest rooms and room service to hotel rooms located on Levels 20 through 37; and

c. Residential and hotel pool deck located on Level 19.

27. Plan Approval (MPA) Requirement. Each individual venue shall be subject to a Master Plan Approval (MPA) determination pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Master Conditional Use authorization granted. The purpose of the Master Plan Approval determination is to review each proposed venue in greater detail and to tailor site-specific conditions of approval for each of the premises including but not limited to hours of operation, seating capacity, size, security, live entertainment, the length of a term grant and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval. The Zoning Administrator may impose more restrictive or less restrictive conditions on each individual tenant at the time of review of each Plan Approval application. A public hearing for any Master Plan Approval (MPA) request may be waived at the discretion of the Chief Zoning Administrator.

28. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days.

29. **STAR/LEAD Training.** Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department “Standardized Training

for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcoholic Beverage Control to issue a letter/certificate identifying which employees completed the training. Thereafter, STAR/LEAD training shall be conducted for all new hires within three (3) months of their employment.

30. The Applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure such conduct does not violate applicable laws.

31. Loitering is prohibited on the premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility.

32. At least one on-duty manager with authority over the activities within the facility shall be on the premises during business hours. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the Department of Alcoholic Beverage Control (ABC) and the conditional use herein. Every effort shall be undertaken in managing the subject premises and any exterior area over which the building owner exercises control to discourage illegal and criminal activities.

33. The Applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.

34. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.

35. The restaurant establishments shall be maintained as a bona fide eating places (restaurants) with an operational kitchen and shall provide a full menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during operating hours. The establishment shall provide seating and dispense food and refreshments primarily for consumption on the premises and not solely for the purpose of food takeout or delivery.

36. The owner or the operator shall comply with California Labor Code 6404.5 which prohibits the smoking of tobacco or any non-tobacco substance, including from electronic smoking devices or hookah pipes, within any enclosed place of employment.

37. All deliveries shall be made in the designated on-site loading area. No loading or unloading of deliveries shall be permitted along Hill Street and 5th Street.

38. Trash pick-up, compacting, loading and unloading and receiving activities shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday and 10:00 a.m. to 4:00 p.m. on Saturday. No deliveries or trash pick-up shall occur on Sunday.

39. The outside disposal of glass bottles and contains shall only occur between the hours of 7:00 a.m. to 6:00 p.m.

40. **Designated Driver Program.** Prior to the utilization of this grant, the applicant shall establish a "Designated Driver Program" which shall include, but not be limited to, signs/cards, notation on websites/social media, notifying patrons of the program. The

signs/cards/website/social media shall be visible to the customer and posted or printed in prominent locations or areas. These may include signs/cards on each table, at the entrance, at the host station, in the waiting area, at the bars, or on the bathrooms, or a statement in the menus, a website, or on social media.

41. Any music, sound or noise which is under control of the applicant shall not violate Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City representative may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.

42. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.

43. **Private Events.** Any use of the restaurant for private events, including corporate events, birthday parties, anniversary parties, weddings or other private events which are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein.

44. **Cafe and Entertainment Permit.** A Cafe and Entertainment Permit shall be obtained from the Los Angeles Police Commission. A copy shall be submitted to the Department of City Planning for inclusion in the case file.

45. The applicant / operator shall obtain permits from the Los Angeles Police Permit Processing Section, pursuant to LAMC Sections 103.102 and 103.106. Copies of said permits shall be submitted to the Department of City Planning **within 30 days of their issuance** for inclusion in the case file.

46. Dancing shall be permitted from 9:00 AM until 2:00 AM, seven nights a week; Monday through Sunday, pursuant to a current Los Angeles Police Commission permit. **Prior to the utilization of this grant**, evidence of the permit shall be submitted to the Department of City Planning for inclusion in the case file.

47. **MViP – Monitoring Verification and Inspection Program.** At any time, before, during, or after operating hours, a City inspector may conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be notified of the deficiency or violation and will be required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed therein, may result in denial of future requests to renew or extend this grant.

48. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center or the BESt (Beverage and Entertainment Streamlined Program) for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center or BESt (Beverage and Entertainment Streamlined Program) for inclusion in the case file.

49. Should there be a change in the ownership and/or the operator of the business, the property owner and/or the business owner or operator shall provide the prospective new property owner and the business owner or operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective property owner and/or business owner/operator shall be submitted to the Department of City Planning in a letter from the new property owner and/or business owner or operator indicating the date that the new property owner and/or business owner or operator/management began and attesting to the receipt of this approval and its conditions. The new property owner and/or business owner or operator shall submit this letter to the Department of City Planning within 30 days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing floor plan, seating arrangement or number of seats of the new operation.

50. Should there be a change in the ownership and/or the operator of the business, the Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application, if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees, and a 500-foot notification radius, shall be submitted to the Department of City Planning within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

51. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

52. The Zoning Administrator reserves the right to require that the owner or operator file a Plan Approval application, if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees shall be submitted to the Department of City Planning within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes, pursuant to LAMC Section 12.27.1.

53. **Prior to the effectuation of this grant,** a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-

6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file. Fees required per LAMC Section 19.01 E.(3) for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City prior to the final clearance of this condition. Failure to record a covenant acknowledging and agreeing to comply with all the terms and conditions of the approved grant will result in non-effectuation of said grant.

Environmental Conditions

54. Mitigation Monitoring Program. The project shall be in substantial conformance with the mitigation measures in the attached MMP and stamped Exhibit B and attached to the subject case file. The implementing and enforcing agencies may determine substantial conformance with mitigation measures in the MMP. If substantial conformance results in effectively deleting or modifying the mitigation measure, the Director of Planning shall provide a written justification supported by substantial evidence as to why the mitigation measure, in whole or in part, is no longer needed and its effective deletion or modification will not result in a new significant impact or a more severe impact to a previously identified significant impact.

If the project is not in substantial conformance to the adopted mitigation measures or MMP, a modification or deletion shall be treated as a new discretionary action under CEQA Guidelines, Section 15162(c) and will require preparation of an addendum or subsequent CEQA clearance. Under this process, the modification or deletion of a mitigation measure shall not require a Zone Change unless the Director of Planning also finds that the change to the mitigation measures results in a substantial change to the project or the non-environmental conditions of approval.

55. Mitigation Monitor. During the construction phase and prior to the issuance of building permits, the applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of project design features and mitigation measures during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the applicant's compliance with the project design features and mitigation measures during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the applicant and Construction Monitor and be included as part of the applicant's Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the mitigation measures and project design features within two businesses days if the applicant does not correct the non-compliance within a reasonable time of notification to the applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

56. Tribal Cultural Resource Inadvertent Discovery. In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground

disturbance activities,[4] all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning.

- If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Applicant and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.

- The Applicant shall implement the tribe's recommendations if a qualified archaeologist and a culturally affiliated tribal monitor, both retained by the City and paid for by the Applicant, reasonably concludes that the tribe's recommendations are reasonable and feasible.

- The Applicant shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The Applicant shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.

Administrative Conditions

57. Approval, Verification and Submittals. Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.

58. Code Compliance. Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.

59. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.

60. Definition. Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.

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4 Ground disturbance activities shall include the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity

61. Enforcement. Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

62. Building Plans. Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.

63. Project Plan Modifications. Any corrections and/or modifications to the project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision-making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.

64. Indemnification and Reimbursement of Litigation Costs. The Applicant shall do all of the following:

(i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

(ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

(iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than $50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

(iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

(v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails

to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

ENTITLEMENT FINDINGS

1. Transfer of Floor Area Rights Findings.

The following are the findings for a Transfer of Floor Area as required by LAMC 14.5.6.

a. Pursuant to Section 14.5.6 B.2 of the LAMC, the increase in Floor Area generated by the proposed Transfer is appropriate with respect to location and access to public transit and other modes of transportation, compatible with other existing and proposed developments and the City's supporting infrastructure, or otherwise determined to be appropriate for the long-term development of the Central City.

The Project Site is centrally located near transit services, will be compatible with densely developed surroundings and the City's supporting infrastructure, and will be in close proximity to jobs, housing, and a wide range of uses and public services.

The Project Site is well-served by public transit, including both rail and bus service. The Project is located across the street (north of) the Pershing Square Metro Rail Station (Red/Purple lines) and is 0.5 miles from the 7th and Metro Center Rail Station (Red/Purple, Blue/Expo lines), and is 1.1 miles from the Little Tokyo Metro Rail station (Gold line). These subway lines provide access to other transit lines operated by Metro and connect passengers to Pasadena, East Los Angeles, Long Beach, Culver City, Santa Monica, Hollywood, Koreatown, and North Hollywood. Prior to Project buildout (2023), Metro forecasts 2021 as completion of construction of the Regional Connector Project, which would expand service by connecting the Gold, Blue, and Expo Light Rail Lines expanding destinations at both stations. The Project Site is also served by Metro bus lines (Local (2, 4, 10, 16, 17, 18, 20, 28, 30, 33, 37, 40, 45, 48, 53, 55, 60, 62, 66, 68, 70, 71, 76, 79, 81, 83, 90, 91, 92, 94, and 96), Limited (316, 330, 355, 378, 487, and 489), Express (442 and 460), and Rapid (720, 728, 733, 745, 760, 770, and 794), and Silver Line), LADOT Commuter Express bus lines (419, 431, and 437), and LADOT Downtown Area Shuttle lines (DASH B, D, and E), Foothill Transit bus lines (493, 495, 497, 498, and 499), the Big Blue Bus line 10, and Torrance Transit line 4. In addition to available public transit, regional access to the Site is also provided by State Route 110 (SR-110 or Harbor Freeway), which runs north-south approximately 0.4 miles west of the Project Site. Major arterials providing regional access to the Project Site vicinity include Hill Street and 5th Street.

The proposed uses will be located within a 53-story building with a maximum height of 784 feet. The intensity and mix of the proposed hotel, residential, and commercial uses are compatible with the current density and mix of uses in the area, and will contribute to the establishment of a 24-hour community in downtown Los Angeles. The Project Site is located in an area which is developed with low- to high-rise, mixed-use buildings. Surrounding uses include the 16-story Pershing Square Building located at the northeast corner of 5th Street and Hill Street (south and west of the Site), the nine-story Metropolitan Building immediately to the east (along 5th Street), a four-story commercial building and the 10-story Hotel Clark Building immediately to the north (along Hill Street), Silver City located immediately to the south (along Hill Street) and the Metro Pershing Square Subway Station which is located across 5th Street, to the south. Additionally, Pershing Square is located at the southwest corner of 5th Street and Hill Street. Beyond these land uses are other high-rise buildings, including the 16-story International Jewelry Center, located one block south of the Project Site and the 52-story Gas Company Tower, located one block west of the site. New high-rise residential developments currently under construction include the Park Fifth project, two 24-story mixed-use buildings located across Hill Street, PerLA on Broadway, a 35-story condominium tower located on the southeast corner of Broadway and 4th Street; the proposed Angel's Landing mixed-use

development, a 27-story tower and 88-story tower, located at the northwest corner of 4th and Hill Street; and the proposed 4th and Hill mixed-use development, a 33-story tower located at the northeast corner of 4th Street and Hill Street.

The Project's location is well-served by infrastructure, as the area is currently developed with a mix of uses connected to existing utilities serving the area. The recent expansion of development has furthermore resulted in extensive study, and provision if deemed necessary, of utilities in the area.

The increase in floor area generated by the proposed Transfer will allow the development of a compatible mixed-use project consisting of 190 hotel guest rooms, 31 residential condominium units with varying unit types, and 29,232 square feet of restaurant uses on the Receiver Site. The Project is considered an infill development within a developed and improved area of the City, which was designated for high-density residential development and regional-serving commercial uses by the Community Plan. The Project Site contains approximately 16,663 square feet and will be permitted a maximum floor area of 99,978 square feet, or a 6:1 Floor Area Ratio (FAR) as restricted by a D Limitation per Ordinance 164,307-Subarea 1095. The Applicant has requested a Transfer of 155,834 square feet of floor area from a Donor Site located at 1201 South Figueroa Street (Los Angeles Convention Center), to permit a maximum 13:1 FAR on the Receiver Site. It should be noted that the Applicant's original TFAR request, as reflected in the Notice of Public Hearing distributed on August 19, 2019, was for 160,711 square feet; however the Applicant submitted an updated application, requesting a total of 155,834 square feet. The Transfer is appropriate for the long-term development of the Central City because it will enable the Project to include hotel, residential and restaurant uses in the Historic Core District, contributing to the revitalization and modernization of Downtown Los Angeles including job creation and increased City tax revenue generation, maintaining the strong image of downtown as the major center of the metropolitan region, and serving as a linkage and catalyst for other downtown development.

The Project will be easily accessible via public transit, is consistent with both existing and proposed development in the Historic Core District, can be served by the existing utilities, and will support the development planned for the Central City Community Plan Area. Thus, the proposed Transfer will be appropriate for the Receiver Site.

b. The Project is consistent with the purposes and objectives of the Redevelopment Plan.

Enacted on June 29, 2011, Assembly Bill 1x-26 (AB 26) revised provisions of the Community Redevelopment Law of the State of California, to dissolve all redevelopment agencies and community development agencies in existence and designate successor agencies, as defined, as successor entities. Among the revisions, the amendments to the law withdrew all authority to transact business or authorize powers previously granted under the Community Redevelopment Law (Section 34172.a.2), and vested successor agencies with all authority, rights, powers, duties and obligations previously vested with the former redevelopment agencies (Section 34172.b). The CRA/LA, is the Designated Local Authority, and successor agency to the CRA.

The Project Site is located in the City Center Redevelopment Plan Area. The City Center Redevelopment Plan's primary objective is eliminating and preventing blight in the area. The Project supports and is consistent with the following objectives of the City Center Redevelopment Plan:

1. To eliminate and prevent the spread of blight and deterioration and to rehabilitate and redevelop the project area in accordance with this plan.

While the Site was previously developed along Hill Street and 5th Street with two mixed-use buildings that were severely damaged by a fire in the 1990s and subsequently both buildings were demolished in 2004. The Project Site has since been vacant with the Site's frontages on Hill Street and 5th Street fenced, prohibiting access to the Site. The increase in floor area generated by the proposed Transfer will allow the redevelopment of a vacant site with a mixed-use Project containing 190 hotel guest rooms, 31 residential condominium units, and 29,232 square feet of restaurant uses.

2. To further the development of Downtown as the major center of the Los Angeles metropolitan region, within the context of the Los Angeles General Plan as envisioned by the General Plan Framework, Concept Plan, City-wide Plan portions, the Central City Community Plan, and the Downtown Strategic Plan.

3. To create an environment that will prepare, and allow, the Central City to accept that share of regional growth and development which is appropriate, and which is economically and functionally attracted to it.

4. To promote the development and rehabilitation of economic enterprises including retail, commercial, service, sports and entertainment, manufacturing, industrial and hospitality uses that are intended to provide employment and improve the Project Area's tax base.

The Project Site is zoned C2, designated Regional Commercial Center and located in the Historic Core District within the Central City Community Plan. The Framework Element characterizes Regional Commercial Center Land Use Designation as "intended to serve as the focal points of regional commerce, identity, and activity. They are typically high-density places whose physical form is substantially differentiated from the lower-density neighborhoods of the City. Generally, regional centers will range from FAR 1.5:1 to 6:1 and are characterized by six- to twenty-story (or higher) buildings as determined in the Community Plan." The Framework Element includes goals and objectives consistent with this description, which indicate the Project and recent developments in the area are consistent with the intent of the Land Use Designation. The Project will support the greater downtown area and Historic Core District as destinations, and provide additional space for uses that complement the nearby LASED and Convention Center, contributing to its economic vitality. Further, the Project will be consistent with Central City Community Plan's vision for the Historic Core District becoming a 24-hour community by developing the Site with a mix of uses that strengthens the link between the surrounding districts/neighborhoods, including the South Park District to the south, the Civic Center /Little Tokyo District to the north, and the Financial Core and Bunker Hill Districts to the west.

5. To guide growth and development, reinforce viable functions, and facilitate the redevelopment, revitalization or rehabilitation of deteriorated and underutilized areas.

The Project will guide growth and development in the area and generate new job opportunities associated with the 29,232 square feet of restaurant space, and 190-room hotel. The new residential condominium units proposed as part of the Project will offer a mix of unit types for new residents, as well as offering new restaurant space located in a

transit rich area, siting new commercial growth in a location aligned with City plans and policies.

6. To create a modern, efficient and balanced urban environment for people, including a full range of around-the-clock activities and uses, such as recreation, sports, entertainment and housing.

7. To create a symbol of pride and identity which give the Central City a strong image as the major center of the Los Angeles Region.

The Project will be designed in a contemporary architectural style, via a tall and slender high-rise tower. The incorporation of non-uniform terraces as well as cantilevering private pools and spas along the north, west, and south facades will contribute to the downtown Los Angeles' distinct skyline, which give the Central City a strong image as the major center of the Los Angeles Region.

8. To facilitate the development of an integrated transportation system which will allow for the efficient movement of people and goods into, though, and out of the Central City.

As described in the previous finding, the Project Site is well-served by public transit, including both rail and bus service. The Project is located across the street (north of) the Pershing Square Metro Rail Station (Red/Purple lines) and is 0.5 miles from the 7th and Metro Center Rail Station (Red/Purple, Blue/Expo lines), and is 1.1 miles from the Little Tokyo Metro Rail station (Gold line). These subway lines provide access to other transit lines operated by Metro and connect passengers to Pasadena, East Los Angeles, Long Beach, Culver City, Santa Monica, Hollywood, Koreatown, and North Hollywood. Prior to Project buildout (2023), Metro forecasts 2021 as completion of construction of the Regional Connector Project, which would expand service by connecting the Gold, Blue, and Expo Light Rail Lines expanding destinations at both stations. The Project Site is also served by Metro bus lines (Local (2, 4, 10, 16, 17, 18, 20, 28, 30, 33, 37, 40, 45, 48, 53, 55, 60, 62, 66, 68, 70, 71, 76, 79, 81, 83, 90, 91, 92, 94, and 96), Limited (316, 330, 355, 378, 487, and 489), Express (442 and 460), and Rapid (720, 728, 733, 745, 760, 770, and 794), and Silver Line), LADOT Commuter Express bus lines (419, 431, and 437), and LADOT Downtown Area Shuttle lines (DASH B, D, and E), Foothill Transit bus lines (493, 495, 497, 498, and 499), the Big Blue Bus line 10, and Torrance Transit line 4.

9. To achieve excellence in design, based on how the Central City is to be used by people, giving emphasis to parks, green spaces, streetscapes, street tress, and places designed for walking and sitting, and to develop an open space infrastructure that will aid in the creation of a cohesive social fabric.

The Project will create a continuous and predominantly straight sidewalk and open space; creating a buffer between pedestrians and moving vehicles by proposing an on-site hotel drop-off/pick-up area along 5th Street; and providing a clearly defined project entrance immediately accessible from 5th Street. The ground floor will be open to the street along 5th Street and will be accessible to pedestrians. Landscaping, including 20 on-site trees, will be incorporated throughout the various outdoor seating areas, outdoor bar and restaurant spaces, and the pool area. Where appropriate, landscaping will be used to provide a separation between uses (i.e. restaurant use, bar use, and outdoor seating area) and will be comprised of non-invasive and drought tolerant plant materials.

10. To provide a full range of employment opportunities for persons of all income levels.

The Project will introduce 190 new hotel guest rooms, 31 residential condominium units, and 29,232 square feet of commercial uses resulting in a range of employment opportunities. Therefore, the Project's new hotel, residential, and restaurant uses, employment opportunities, transit-oriented location, and other community benefits make the Project consistent with the Redevelopment Plan's Objectives.

c. The Transfer serves the public interest by complying with the requirements of Section 14.5.9 of this Code.

As part of the Transfer Plan, a Public Benefit Payment is required and must serve a public purpose, such as: providing for affordable housing; public open space; historic preservation; recreational; cultural; community and public facilities; job training and outreach programs; affordable child care; streetscape improvements; public arts programs; homeless services programs; or public transportation improvements. The Transfer serves the public interest by facilitating a project that will contribute to the sustained economic vitality of the Central City area, and by contributing a total Public Benefit Payment of $3,634,848.56 (based on a formula that includes the Transfer of 155,834 square feet) and a TFAR Transfer Payment of $779,170 (based on the Transfer of 155,834 square feet from the Convention Center multiplied by $5), in accordance with LAMC Section 14.5.10. The Public Benefit Payment consists of a 50 percent cash payment of $1,817,424.28 to the Public Benefit Payment Trust Fund, and 50 percent of the payment for public benefits to be directly provided by the Applicant, as indicated in the table below. As such, the Transfer of Floor Area serves the public benefit interest as it complies with the specific requirement for the transfer to occur.

Public Benefit Payment Transfer Plan		
Total Public Benefit Payment		$3,634.848.56
50% Public Benefit Cash Payment		$1,817,424.28
50% Public Benefit Direct Provision		$1,817,424.28
Allocation of Public Benefit Direct Provision		
Department of Recreation and Parks (Pershing Square Renew Fund)	45%	$817,424.28
City of Los Angeles Citywide Affordable Housing Fund	55%	$1,000,000.00
Total	100%	$1,874,302.61

d. The Transfer is in conformance with the Community Plan and any other relevant policy documents previously adopted by the Commission or the City Council.

The Receiver Site (Project Site) of the Transfer is located within the Central City Community Plan, and has a land use designation of Regional Center Commercial and is zoned C4-2D. The Community Plan describes the Transfer of Floor Area Rights (TFAR) as follows (Page III-19):

> *"The transfer of floor area between and among sites is an important tool for Downtown to direct growth to areas that can best accommodate increased density and from sites that contain special uses worth preserving or encouraging."*

The Site is subject to Development D Limitation, contained in Subarea 1095 of Ordinance No. 164,307, which limits the FAR of a building to 6:1, unless a transfer of floor area is approved. The Transfer will re-allocate 155,834 square feet of unused, allowable floor area from the Donor Site (Los Angeles Convention Center) and permit a maximum FAR of 13:1 on the Receiver Site, which will be consistent with Community Plan and other relevant policy documents, which provides for a transfer of floor area up to a 13:1 FAR. As further discussed in Finding No. 2(a), the Transfer will permit the development of the Receiver Site with a Project that is consistent with the objectives and policies of the Central City Community Plan, including:

> ***Objective 1-2:*** *To increase the range of housing choices available to Downtown employees and residents.*
>
> ***Objective 2-1:*** *To improve Central City's competitiveness as a location for offices, business, retail, and industry.*
>
> > ***Policy 2-1.2:*** *To maintain a safe, clean, attractive, and lively environment.*
>
> ***Objective 2-2:*** *To promote land uses in Central City that will address the needs of all visitors to Downtown for business, conventions, trade shows, and tourism.*
>
> > ***Policy 2-1.2:*** *Support the development of a hotel and entertainment district surrounding the Convention Center/Staples Arena with linkages to other areas of Central City and the Figueroa Corridor.*
>
> ***Objective 2-4:*** *To encourage a mix of uses which create an active, 24-hour downtown environment for current residents and which would also foster increased tourism.*
>
> > ***Policy 2-4.1:*** *Promote night life activity by encouraging restaurants, pubs, night clubs small theaters, and other specialty uses to reinforce existing pockets of activity.*

The Project will provide up to 31 residential condominium units, including four-bedroom units, three-bedroom units, and two-bedroom units on a currently vacant site in the Historic Core District of the Community Plan.

The Project provides 190 hotel rooms and 29,232 square feet of new restaurant space, supporting the existing commercial base in Central City. In addition, the Project Site is located nearby the LASED (approximately one mile north) and the Convention Center (approximately two miles north) and will be consistent with the Central City Community Plan's vision for the Historic Core District by developing the Site with a mix of uses that strengthens the link between the surrounding districts/neighborhoods, including the South Park District to the south, the Civic Center /Little Tokyo District to the north, and the Financial Core and Bunker Hill Districts to the west.

The Project will provide flexibility in commercial spaces allowing for a variety of restaurant uses, helping to create an active, 24-hour downtown that will serve the residents and employees of the Historic Core District, as well as visitors. The addition of new uses, as well as up to 31 residential condominium units in the Historic Core District supports the

existing retail base by strengthening current and creating new residential demand for goods and services, as well as creating synergy between different commercial uses in the Central City Community Plan area.

Last, the proximity of the Site to LASED and the Convention Center will locate both visitors and residents within walking distance to various businesses, conventions, trade shows, and tourist destinations and provide a linkage to the surrounding Central City Community Plan Districts. The Project will incorporate sidewalk treatments and landscaping throughout the Project Site that will encourage pedestrian street activity to.

Therefore, the Project is consistent with the applicable Central City Community Plan Objectives and Policies.

2. Conditional Use and Zoning Administrator's Determination Findings

The Project will redevelop a vacant site with a mixed-use development consisting of 190 hotel guest rooms, 31 residential condominium units, and 29,232 square feet of restaurant uses. In conjunction with the development of the Project, the Applicant is requesting a Master Conditional Use Permit (MCUP) to allow the sale and dispensing of a full line of alcoholic beverages within four restaurants and bars, mini-bars within hotel guest rooms, room service to hotel rooms, the hotel and residential pool deck, and banquet room; a Conditional Use Permit (CUX) to allow dancing within the banquet room; and a Zoning Administrator's Determination (ZAD) to allow a building height of 250 feet for the portion of the building located on a C2-zoned lot within 100 feet of an OS Zone (Pershing Square), in lieu of the otherwise maximum height 61 feet, as permitted by LAMC Section 12.21.1 A.10.

The following are the findings for a MCUP and CUX as required by LAMC 12.24 W.1, and a ZAD as required by LAMC 12.21.1 A.10.

a. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.

The Project will redevelop a vacant site with a mixed-use development consisting of 190 hotel rooms, 31 residential condominium units, and 29,232 square feet of restaurant uses. In total, the Project will contain up to 255,812 square feet of floor area on a 16,663 square-foot (0.38-acre) lot, for a floor area ratio (FAR) of 13:1.

The Applicant is requesting a Master Conditional Use Permit to allow for the sale and dispensing of a full line of alcoholic beverages for on-site consumption, within four restaurants and the hotel use, including mini-bars within guest rooms, room service to guest rooms, the hotel and residential pool deck, and the hotel banquet room, in conjunction with a request for a Conditional Use Permit to allow dancing within the 2,205 square-foot banquet room.

The Project Site is located in the Historic Core District within the Central City Community Plan, an urban area with structures ranging from medium-rise to high-rise buildings, where nearby residents and employees that are within walking distance will be able to take advantage of the proposed neighborhood services. Surrounding uses include the Pershing Square Building located at the northeast corner of 5th Street and Hill Street, the Metropolitan Building immediately to the east, a commercial building and the Hotel Clark Building immediately to the north, Silver City, a commercial building located immediately to the south and the Metro Pershing Square Subway Station located across 5th Street, to the south. Beyond these land uses are high-rise buildings, including the 16-story

International Jewelry Center, located one block south of the Project Site and the Gas Company Tower, located one block west of the Site.

The Project Site is in a prime location where efforts to provide a vibrant 24-hour downtown environment in the Historic Core District have resulted in the development of mixed-use projects integrating with the surrounding neighborhood. The proposed hotel, restaurants/bars, and banquet room will be desirable to the public convenience and welfare as the uses are in a convenient location that residents, workers, and visitors for business, conventions, trade shows, and tourism can reach by walking or by public transit (the Pershing Square Metro Station (service for Red/Purple lines) is immediately south of the Site, across 5th Street), and will provide alternative amenities and menus to the community and to the downtown area. Further, numerous residential lofts, condominiums, and apartments have been and are being developed to attract a residential population to the Central City area. As new residential units, office and commercial uses continue to be developed in the downtown area, a demand for uses such as those proposed by the Project, including restaurant, hotel, event space, and residential uses continue to be built to serve employees, visitors, and residents in the area. The proposed restaurant, hotel, and banquet room uses, including the alcohol service and dancing, will be compatible with projects currently under construction, including the Park Fifth project and PerLA on Broadway, as well as the proposed Angel's Landing project.

The Project will provide convenient eating places to serve the many residents and visitors in the area, increase the number of hotel rooms within walking distance of the Convention Center and LASED, and add to the number of dining and venues for convention attendees. Additionally, the proposed banquet room will introduce a new event space that will be beneficial to the Historic Core District as it will increase the number of event spaces in the area, thereby strengthening the economic vitality of the area.

Due to the Site's central location in the Historic Core District and proximity to South Park, the Arts District, and other Downtown neighborhoods, the ability to order alcoholic beverages in conjunction with food service and hotel use will allow for the on-site restaurants and the hotel use to compete with the other establishments downtown which also have restaurants and hotels serving alcohol, including the Millennium Biltmore Hotel and the Wilshire Grand. The proposed eateries will operate as bona-fide restaurants with the sale of alcoholic beverages incidental to food service. The proposed banquet use will introduce a new gathering area for special events and will help to activate the Project Site, and the surrounding area, as the banquet room will provide an on-site flexible space that can be used for a variety of events. A variety of commercial uses is an intrinsic part of the service amenities that are necessary for the conservation, development, and success of a vibrant neighborhood. The ability for the Site to offer a full line of alcoholic beverages, in addition to patron dancing for the banquet room, will allow the restaurants and banquet room to remain competitive with other similar uses serving the same area. Patrons are drawn to the Historic Core District due to the shopping, entertainment, and dining experiences available to them, and offering a full line of alcoholic beverages and patron dancing will enhance the dining and entertainment experience for patrons of the Site. In light of the above, the Project will continue to perform a function that enhances the character of the Historic Core District and broader Los Angeles region.

The MCUP provides an umbrella entitlement with conditions that apply to the Project Site and in general to all venues, including the hotel uses and restaurants. These conditions include, but are not limited to, security measures, such as a camera surveillance system and appropriate lighting in the evening hours, hours of operation for the entertainment and dancing (the proposed hours of operation are from 9:00 AM to 2:00 AM), except routine clean-up, and of adult entertainment. In addition, all music, sound or noise which is under

the control of the Project Applicant shall be in compliance with the Citywide Noise Ordinance. Further, loitering is prohibited on and around the premises, the Project Applicant will be required to maintain the premises and sidewalk in good condition. These conditions will be supplemented by more specific conditions designed to address the characteristics of each individual establishment a Plan Approval which will be required, prior to the effectuation of the approval for each respective tenancy identified above, where more specific physical and operational restrictions. Under these Plan Approvals, the Zoning Administrator and LAPD have the opportunity to comment and recommend any conditions, including the maximum number of indoor seats, as determined by the Department of Building and Safety.

The Project will introduce new uses to the currently vacant Site. The addition of indoor/outdoor restaurant/bar uses, as well as a hotel and a banquet room, will result in a new development that provides an amenity to the existing businesses and residents in the area as well as the projected growth in Downtown Los Angeles. As such, the service of alcoholic beverages within a maximum of four (4) venues as part of a mixed-use development will enhance the built environment in the surrounding neighborhood and will provide a function that is fitting and compatible with the character of the surrounding community and commercial viability of the region as a whole.

Entertainment, other than dancing, is permitted in the C2 zone. The Applicant is requesting a Condition Use Permit for dancing within the hotel banquet room. Banquet rooms are often a common amenity offered by hotels and provide an area for large events to be held onsite. The inclusion of the proposed banquet room and request to include dancing will increase the economic vitality of the Historic Core District and contribute to the vibrant 24-hour downtown environment.

The Project, as proposed, will be comprised of three distinct parts: an eight-story podium that includes a ground floor, second floor transitional lobby, three above-ground parking levels, restaurant space, meeting rooms, and back of house uses; a four-story cutout, comprised of an open volume between the top of the Level 8 podium and the Level 13 sky lobby area; and a hotel and residential tower. Pursuant to LAMC Section 12.21.1 A(10), any site located within 100 feet of an OS Zone must not exceed a maximum height of 61 feet. The Project Site is zoned C2 and located within 100 feet of Pershing Square which is zoned OS-1XL. The Project will develop the Site with a tall and slender high-rise tower with a maximum height of 784 feet; however the portion of the building that is located within 100 feet of the OS Zone will be a maximum height of 250 feet, exceeding the maximum permitted height by 189 feet. Although the height of the proposed structure will be taller than the immediately surrounding buildings, the height of the eight-story podium and four-story cutout will be generally consistent with the surrounding buildings' height, including the adjacent Pershing Square Building to the west and south and the Metropolitan Building located immediately to the east. Additionally, the hotel and residential tower's cantilevered terraces, pools, and spas will extend north, west, and south, away from Historic Broadway Theater District and the ground floor along 5th Street will be open and accessible to pedestrians and include generous sidewalk widths that encourage pedestrian activity.

The subject property is also developed in a manner similar to surrounding properties with hotel, residential, and restaurant uses that serve a diverse population within the City of Los Angeles. As such, the Project, as proposed, in conjunction with the sales and service of alcoholic beverages for on-site consumption within four restaurants and bars, mini-bars within hotel guest rooms, room service to hotel rooms, the hotel and residential pool deck,

and banquet room; dancing in the banquet room; and a maximum height of 250 feet for the portion of the building located on a C2-zoned lot within 100 feet pf am PS Zone , will enable the development and use of the Site for hotel, residential, and commercial purposes, consistent with the scale of existing and future proposed developments, and will enhance the built environment in the surrounding neighborhood.

b. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

The Project Site is located within the Central City Community Plan area, in the northern portion of the Historic Core District. The infill Site is currently fenced and vacant. The Project will develop the Site with a mixed-use development consisting of 190 hotel rooms, 31 residential condominium units, and 29,232 square feet of restaurant uses. The Project is proposing dancing in conjunction with the hotel banquet room as well as the sale and dispensing of a full line of alcoholic beverages within four restaurants and bars, mini-bars within guest rooms, room service to guest rooms, the hotel and residential pool deck, and the hotel banquet room.

As previously described, the Project Site is surrounded by a mix of government facilities, historic theaters, office buildings, ground floor retail, and commercial buildings, which have been converted to residential uses. The proposed service of a full line of alcoholic beverages for the four restaurant/bar uses, hotel, and banquet room will provide a place for residents and visitors to eat, drink, and socialize. The restaurant/bar uses will be desirable to the public convenience and welfare because the Project is near public transit, multi-family residential (including the Metropolitan Lofts, the future Park and Fifth multi-family units (which will include 660 apartment units), and the Metro 417 building (formally the Subway Terminal Building) and commercial uses (including various retail stores located throughout the Historic Core District and adjacent districts). Thus, the proposed restaurant, hotel, and banquet room uses are located in convenient locations that residents, visitors, and employees can patronize by walking, biking or public transit.

Redevelopment of the vacant Site will also increase street activity by introducing a new building with a mix of uses that would remain open 24-hours a day and seven days a week, thereby providing a 24-hour presence and more eyes on the street to create a safer environment. The Project locates residential density, hotel and new commercial uses near several transit options that afford easy access to employment centers, entertainment, and services; promotes pedestrian activity in the general area by developing a vacant infill site; and provides a gathering point with new recreational and open space amenities available to residents and hotel guests. The sale, dispensing, and consumption of alcoholic beverages, as well as the banquet room with the option to provide dancing will be an incidental amenity for residents and hotel guests of the Site and will provide a new amenity for those who are visiting the downtown area.

As discussed above, the Project's conditions will be supplemented by more specific conditions designed to address the characteristics of each individual establishment at Plan Approval which will be required, prior to the effectuation of the approval for each respective tenancy identified above. Under these Plan Approvals, the Zoning Administrator and LAPD will have the opportunity to comment and recommend any additional conditions, as warranted. It should be noted that approval of entertainment uses as defined in LAMC 12.14 A.10 is not required, as these uses are permitted in a C2 Zone. Further, the sale of alcohol is regulated by the State of California through the issuance of an Alcohol Beverage

Control (ABC) license. Thus, as conditioned, combined with the enforcement authority of ABC and LAPD, the approval for the sale of alcohol will not be detrimental to the public health, safety and welfare.

Entertainment, other than dancing, is permitted in the C2 zone. The request to allow dancing in the Project banquet room will not degrade adjacent properties, the surrounding neighborhood, and/or public health welfare and safety and will be consistent with surrounding hotel developments that also include a designated banquet room, such as Biltmore Hotel and Wilshire Grand.

With regards to the Zoning Administrator's Determination request regarding the transitional building height, as discussed in Finding 2(a) above, the Project has been designed to be sensitive to the existing and proposed surrounding development; the eight-story podium and four-story cutout is of similar massing and height at street level to the surrounding buildings, while the hotel and residential tower's cantilevered terraces, pools, and spas will extend north, west, and south, away from Historic Broadway Theater District.

While the Project will exceed the maximum permitted height by 189 feet, the transitional height requirements are primarily used to limit height of commercial or manufacturing buildings adjacent to single-family zones to provide the residences with privacy and sunlight. Additionally, it should be noted that the Project Site is located in a dense urban setting with many existing high-rise buildings and the uses and density proposed are consistent with the Central City Community Plan vision for the Historic District Core. Thus, the Project will be compatible with existing and future development on adjacent and neighboring properties and its location, size height, and operations will be compatible with and will not adversely affect or further degrade surrounding properties and/or the public health, welfare, and safety.

c. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The Project Site is located within the Central City Community Plan area, which designates the Site for Regional Center Commercial land uses corresponding to the CR, C1.5, C2, C4, C5, RD, R4, R5, RAS3, and RAS4 and High-Density Residential land uses with corresponding zone of R5.

The Site is zoned C2-4D, which is consistent with its current land use designation. The Project includes a 53-story, high-rise building consisting of 190 hotel guest rooms, 31 residential condominium units, and 29,232 square feet of restaurant uses. The C2 Zone allows for restaurants/bars, hotel uses, and banquet uses and the service of alcoholic beverages through a Conditional Use approval.

The Central City Community Plan text is silent with regards to alcohol sales. In such cases, the decision-maker must interpret the intent of the Community Plan. The proposed request for the sale, dispensing, and consumption of a full line of alcoholic beverages and public dancing in conjunction with the hotel and restaurants/bars are consistent with the following Central City Community Plan objectives, including:

Objective 2-1: *To improve Central City's competitiveness as a location for offices, business, retail, and industry.*

Objective 2-3: *To promote land uses in Central City that will address the needs of all the visitors to Downtown for business, conventions, trade shows, and tourism.*

Objective 2-4: *To encourage a mix of uses which create an active, 24-hour downtown environment for current residents and which would also foster increased tourism.*

The Project is a mixed-use development that will provide hotel, residential, and restaurant uses and will be located in an area with a mix of government facilities, historic theaters, office buildings, ground floor retail, and commercial buildings which have been converted to residential uses. The Community Plan encourages new uses, which strengthen the economic base and promote land uses that address the needs of all downtown visitors.

The Project promotes land uses that will be consistent with existing uses, meet the needs of workers, residents, and visitors to downtown, and provide a mix of uses which result in a 24-hour downtown environment. The sale, dispensing, and consumption of a full-line of alcoholic beverages and dancing, in conjunction with the operations of the proposed hotel use, restaurant/bar uses and the banquet room, will be an added amenity for residents and patrons of the Project.

The approval of the requested Master Conditional Use Permit for the sale and consumption of alcohol and the Conditional Use Permit to allow dancing in the banquet room will thus further the downtown neighborhood's role as a major population, employment and entertainment center and will result in a development that addresses the needs of the existing business and residents in the area as well as the projected growth in downtown Los Angeles. Therefore, the Project substantially conforms with the purposes, intent and provisions of the General Plan and the Community Plan.

Pursuant to LAMC Section 12.24 X.22, the Applicant is requesting approval to allow approval of a building height of 250 feet for the portion of the building located on a C2-zoned lot within 100 feet of an OS Zone (Pershing Square), in lieu of the otherwise maximum height of 61 feet. The Project will exceed the maximum permitted height by 189 feet.

The Project Site is an infill site. The Project's density will be consistent with the neighborhood density and contribute to the Central City's competitiveness by introducing new hotel, residential, and restaurant uses. The adopted Central City Community Plan designates the Project Site for Regional Center Commercial with a corresponding zone of C2-4D (Commercial, Height District 4 with D Development Limitation). The Commercial zones permit a wide array of land uses, such as retail stores, offices, hotels, schools, parks, and theaters. The C2 zone also allows any land use permitted in the C1.5 and C1 Zones, which, in turn, allow R4 and R3 Multiple Dwelling Zones, which include multiple dwelling units. Height District 4 within the C2 Zone does not impose any height limit with a maximum FAR of 13:1. However, while Height District 4 permits a FAR of 13:1, the maximum permitted floor area of the Project Site is further restricted by the D Limitation, which restricts the FAR to 6:1 without a transfer of floor area (per Ordinance 164,307). A Transfer of Floor area from the City of Los Angeles-owned Convention Center has been proposed, thereby permitting a maximum 13:1 FAR, in lieu of the otherwise permitted maximum 6:1 FAR.

As discussed above, the Project is consistent with the surrounding development located in the Historic Core District within the Central City Community Plan and the Project will not result in a substantial change to properties zoned OS (Pershing Square) and located within 100 feet of the Site.

ADDITIONAL FINDINGS FOR ALCOHOL SALES

d. The proposed use will not adversely affect the welfare of the pertinent community.

The approval of the Master Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages on the Site will not adversely affect the welfare of the community. The Project Site is located in the Historic Core District, a centrally located District that provides a link to the surrounding Central City Districts. The Historic Core District has developed into a revitalized area with a vibrant mix of day-time and nighttime uses that contribute to the vision of a 24-hour downtown. The Project will provide additional amenities that will result in a greater variety of dining options, which will support the growing residential population as well as improve the existing environment and attract new visitors and residents to the area. Thus, the introduction of a new building with a mix of uses that will remain open 24-hours a day and seven days a week will create a 24-hour presence with more eyes on the street and a safer environment.

Diversity amongst uses is common in the surrounding area and while there are residential uses near the Project Site, as well as residential uses proposed as part of the Project, the proposed establishments open to the public serving alcoholic beverages will be part of a controlled and monitored operation. In addition, numerous conditions have been imposed to ensure that the use is integrated into the community as well as to protect community members from adverse potential impacts. As part of the required Plan Approvals, additional conditions may be recommended for consideration by the California Department of ABC that regulate the sale of alcoholic beverages to prevent adverse impacts to the neighborhood. Other conditions imposed will maintain the order and ensure cleanliness of the Project and its surroundings. In addition, the grant requires the use and maintenance of an age verification device to deter underage purchases and drinking. Employees must also undergo STAR (Standardized Training for Alcohol Retailers) training, provided by the Los Angeles Police Department. Both the Conditions of Approval and the requirements of the State Alcoholic Beverage Control agency are intended to protect the public health, welfare and safety of the community. Thus, the proposed hotel, restaurant/bar uses, and banquet room space operations as it relates to the sale, dispensing, and consumption of alcoholic beverages will not adversely affect the welfare of the pertinent community.

e. The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.

According to the California State Department of ABC licensing criteria, there are four (4) on-site and two (2) off-site licenses allocated to the subject Census Tract Number 2073.01, based on a population of 4,521 people. Within the subject Census Tract, there are currently 79 active licenses, including 70 on-site and nine (9) off-site licenses. As such, the number of existing on-site licenses within the census tract where the Project Site is located exceeds ABC guidelines.

Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license benefits the public welfare and convenience. The Site is located within the Central City Community Plan and in the Historic Core District. The area is developed with a mix of government facilities, historic theaters, office buildings, ground floor retail, and commercial buildings which have been converted to residential uses. In active commercial areas where there is a demand for licenses beyond the allocated number, the ABC has recognized that high activity retail and commercial centers are supported by a significant and growing employee, visitor, and resident population in the area. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to the public welfare and will not interfere with the quiet enjoyment of property by residents in the area. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring responsible management and deterrents against loitering, public drinking, driving under the influence, and public drunkenness. As conditioned, allowing the sale, dispensing, and consumption of a full line of alcoholic beverages in conjunction with the proposed restaurant/bar uses and banquet room is not undue or anticipated to create a law enforcement issue. Consequently this approval will not result in an undue concentration of premises selling, dispensing, and consumption of a full-line of alcoholic beverages.

According to statistics provided by the LAPD's Central Vice Unit within Crime Reporting District No. 143 which has jurisdiction over the Project Site, a total of 203 crimes were reported in 2018 (176 Part I and 364 Part II crimes), compared to the Citywide Average of 185 crimes and the High Crime Reporting District Average of 222 crimes. Alcohol related Part II Crimes reported include Narcotics (7), Liquor Laws (4), Public Drunkenness (3), Disturbing the Peace (0), Disorderly Conduct (5), Gambling (0), DUI related (1), and other offenses (23). These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

The project will not adversely affect community welfare because the proposed restaurant/bar uses and hotel use is a desirable use in an area designated for commercial uses. In this case, the Project will provide a convenience and new amenity to visitors and residents in the immediate neighborhood and, as conditioned, will not negatively impact the area. As such, the restaurant/bar uses, mini-bars within guest rooms, room service to hotel rooms, the hotel residential and hotel pool deck, and hotel banquet room in conjunction with the sale, dispensing, and consumption of a full-line of alcoholic beverages will be compatible with the surrounding development and will not adversely affect the welfare of the surrounding community.

f. The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.

The Project Site is surrounded by a mix of government facilities, historic theaters, office buildings, ground floor retail, and commercial buildings which have been converted to residential uses. Surrounding uses include the 16-story Pershing Square Building located at the northeast corner of 5th Street and Hill Street (south of the Site), the nine-story Metropolitan Building immediately to the east (along 5th Street), a four-story commercial building and the 10-story Hotel Clark Building immediately to the north (along Hill Street),

Silver City located immediately to the south (along Hill Street) and the Metro Pershing Square Subway Station which is located across 5th Street, to the south. Additionally, Pershing Square is located at the southwest corner of 5th Street and Hill Street. Beyond these land uses are other high-rise buildings, including the 16-story International Jewelry Center, located one block south of the Project Site and the 52-story Gas Company Tower, located one block west of the site.

The following sensitive uses are located within 1,000 feet of the Project Site:

- Pershing Square Park (532 South Olive Street)
- Spring Street Park (428 South Spring Street)
- Central Library (630 West 5th Street)
- New City Church (514 South Spring Street)
- Multi-family residential uses

The proposed hotel, restaurant/bar uses, and banquet room space are located within proximity of sensitive uses, including residences. The Site is located within a commercial corridor along 5th and Hill Streets in the Downtown Center (as classified by the City's General Plan Framework Element), which has long been a center for cultural and entertainment facilities, professional offices, and high-rise residential towers. As mentioned previously, the proposed hotel, restaurant/bar uses, and banquet room operations as it relates to the sale, dispensing, and consumption of alcoholic beverages have been properly conditioned as to not adversely affect the welfare of the pertinent community. As discussed above, more specific physical and operational conditions will be included as part of the Approval of Plans determination required for each venue as established by the MCUP provisions and the Project's conditions will be supplemented by more specific conditions designed to address the characteristics of each individual establishment at Plan Approval which will be required, prior to the effectuation of the approval for each respective tenancy identified above, where more specific physical and operational restrictions. Under these Plan Approvals, the Zoning Administrator and LAPD have the opportunity to comment and recommend any conditions, including the maximum number of indoor seats, as determined by the Department of Building and Safety.

With the conditions referenced herein, the impacts of the on-site sale, dispensing, and consumption of a full-line of alcoholic beverages will be reduced and not detrimentally affect nearby residentially zoned or developed communities and other sensitive uses within the area.

ADDITIONAL FINDINGS FOR ZONING ADMINISTRATOR'S DETERMINATION

g. The project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

The Project Site is located within the Central City Community Plan Area and Historic Core District of Downtown Los Angeles, which is generally characterized by government facilities, a high concentration of architecturally significant buildings, including nationally recognized historic theaters, office buildings, ground floor retail, and commercial buildings which have be converted to residential uses. Surrounding uses include the 16-story Pershing Square Building located at the northeast corner of 5th Street and Hill Street (south of the Site), the nine-story Metropolitan Building immediately to the east (along 5th Street), a four-story commercial building and the 10-story Hotel Clark Building immediately

to the north (along Hill Street), Silver City located immediately to the south (along Hill Street) and the Metro Pershing Square Subway Station which is located across 5th Street, to the south. Additionally, Pershing Square is located at the southwest corner of 5th Street and Hill Street.

In addition to the existing compatible developments, new high-rise residential developments currently under construction include the Park Fifth project, two 24-story mixed-use buildings located across Hill Street, PerLA on Broadway, a 35-story condominium tower located on the southeast corner of Broadway and 4th Street, the proposed Angel's Landing mixed-use development, a 27-story tower and 88-story tower, located at the northwest corner of 4th and Hill Street, and the proposed 4th and Hill mixed-use development, a 33-story tower located at the northeast corner of 4th Street and Hill Street.

The Project will develop a vacant site with 190 hotel guest rooms, 31 residential condominium units, and 29,232 square feet of restaurant uses. The proposed uses will be located within a 53-story building with a maximum height of 784 feet. Transitional height provisions of LAMC 12.21.1 A.10 require that portions of buildings on a C or M zone shall not exceed the height limits set forth as follows within the distances specific from a lot classified in the RW1 or more restrictive zone:

Distance	***Height***
0 to 49 feet	*25 feet*
50 to 99 feet	*33 feet*
100 to 199 feet	*61 feet*

The Project Site is a relatively flat 0.38-acre (16,663 square-foot) Site, comprising three parcels that when combined, form an L-shaped Site occupying frontage on Hill Street and 5th Street. Pershing Square, zoned OS-1XL is located within 100 feet of the Project's two southern parcels located at 319 through 323 ½ 5th Street. As the OS Zone is more restrictive than the RW1 Zone, any site located within 100 feet of the OS Zone shall not exceed a maximum height of 61 feet. As stated above, the Proposed Project will have a maximum height of 784 feet. The portion of the building located within 100 feet of Pershing Square is 250 feet in height and, thus, exceeds the maximum permitted height by 189 feet.

The Project will be compatible with the densely developed surroundings and will be in close proximity to jobs, housing, and a wide range of uses and public services. The intensity and mix of the proposed hotel, residential, and commercial uses are compatible with the current density and mix of uses in the area, and will contribute to the establishment of a 24-hour community in downtown Los Angeles. The Project Site is located in an urban area with structures ranging from medium-rise to high-rise buildings, where nearby residents and employees that are within walking distance will be able to take advantage of the proposed neighborhood services.

While the Project's height will exceed the height of the adjacent buildings, the Project Site is designated for high-density residential development and regional-serving commercial uses by the Central City Community Plan. The building will be 53 stories for a maximum height of 784 feet, comprised of three distinct parts: an eight-story podium a four-story

cutout, and a hotel and residential tower. The scale of the eight-story podium and four-story cutout are consistent with the surrounding buildings' size, including the adjacent Pershing Square Building to the west and south, and the Metropolitan Building to the immediate east. Furthermore, the Project has been designed to be sensitive to existing surrounding development such that the eight-story podium and four-story cutout is of similar massing and height at street level to the surrounding buildings, while the hotel and residential tower's cantilevered terraces, pools, and spas will extend north, west, and south, away from Historic Broadway Theater District. Additionally, the podium's horizontal elements will align with the datum lines, cornices, scale, and proportion of the two adjacent buildings.

The Project will provide a total of 7,359 square feet of open space, a surplus of 2,881 square feet. A variety of common and private open space areas will be dispersed throughout the development, including amenity decks, planted areas, an indoor fitness facility (that includes a yoga studio, spa, and sauna), a main outdoor pool and spa deck, and private cantilevered terraces, pools, and spas. As such, the Project's proposed uses, structure, and open space areas, will be compatible with adjacent properties and surrounding uses.

4. Director's Determination

The following are the mandated findings required to permit a 10-percent decrease of the required area for planting of ground cover, shrubs, and trees, to a minimum of 15-percent within the common open space per LAMC Section 12.21 G, for a Project that is generally developed at the R5 density.

The following are the findings for a Director's Decision as required by LAMC 12.21 G.3(a).

a. That the open space provided conforms with the objectives of this subsection.

Pursuant to LAMC Section 12.21 G.2 usable open space shall afford occupants of multiple residential dwelling units opportunities for outdoor living and recreation; provide safer play areas for children as an alternative to the surrounding streets, parking areas, and alleys; Improve the aesthetic quality of multiple residential dwelling units by providing relief to the massing of buildings through the use of landscape materials and reduced lot coverage; provide a more desirable living environment for occupants of multiple residential dwelling units by increasing natural light and ventilation; and improve pedestrian circulation and providing access to on-site recreation facilities.

The Project will provide a total of 7,359 square feet of open space (which meets the minimum dimensional requirements per LAMC Section 12.21 G), 2,384 square feet more than required by LAMC Section 12.21 G.2. Outdoor open space areas will total 4,565 square feet, including the pool and spa area on Level 19 as well as one of the amenity terraces on Level 38, which will be programmed with movable furniture and potted trees. The 31 residential condominium units will each have a private terrace and several will have access to private cantilevered pools and/or spas. Indoor recreation space will be

provided as part of the Project. A 2,242 square feet fitness center, with a yoga studio and massage/spa area will be included as part of the Project.

As proposed, none of the 31 residential condominium units will be interior units and as stated above all units will have access to a private terrace. Hotel guests or residents will have access to the pool and spa deck and fitness center on Level 19.

The Project Site is vacant and fenced. Development of the Site will provide a transparent ground floor and an open entryway that will remain open 24/7 and provide shelter and promote an active street presence by pedestrians. Additionally, the Project will introduce new recreation uses, including a pool and spa deck, as well as a fitness center, for the hotel guests and residences. Due to the site constraints and size of the 0.38-acre Site, the Project will develop the entire site. However, the horizontal and vertical articulation and the two water features that will screen the above-grade parking levels (Levels 3 through 5) break up the building planes and soften the visual mass of the building. Furthermore, the Project is designed to be sensitive to existing surrounding development such that the eight-story podium and four-story cutout is of similar massing and height at street level to the surrounding buildings, while the hotel and residential tower's cantilevered terraces, pools, and spas will extend north, west, and south, away from Historic Broadway Theater District.

b. That the proposed project complies with the total usable open space requirements.

Pursuant to LAMC 12.21 G.2, based on the number of units and the mix of unit types, 4,975 square feet of residential open space is required, and a total of 7,359 square feet of common open space (which meets the minimum dimensional requirements per LAMC Section 12.21 G) is provided, as shown in the table below. Additionally, private cantilevered pools and spas will be provided throughout the residential portions of the building (Levels 39 through 50).

Open Space Required			
Use[1]	**LAMC Requirement**	**Amount**	**Total**
< 3 Habitable Rooms	100 sf / unit	0 units	0 sf
= 3 Habitable Rooms	125 sf / unit	9 units	1,125 sf
> 3 Habitable Rooms	175 sf / unit	22 unit	3,850 sf
		Total Open Space Required	**4,975 sf**

[1] Kitchens are not considered habitable rooms for the purposes of open space calculations.

Open Space Provided			
Location	**Use**	**Total Amount**	**Total Amount Compliance with LAMC 12.21 G**
Level 19	Pool Deck, Pool and Spa	3,769 sf	3,769 sf
Level 19	Fitness Center	2,242 sf	1,244 sf[1]
Level 38	Amenity Decks	1,361 sf	796
Private Open Space	Terrace (50 sf)	1,550 sf	1,550 sf
Total Open Space Provided		**8,922 sf**	**7,359 sf**

[1] As proposed, the fitness center is 2,242 square feet. Pursuant to LAMC Section 12.21 G, only 25 percent of the required usable common open space can be allocated for a recreation room, or 1,244 square feet.

Outdoor common open spaces on Level 19 will include a pool and spa, movable lounge and dinning furniture and landscaped planters. Indoor amenities on Level 19 will include fitness and yoga rooms, a massage and spa room and a steam/sauna room. In addition, the Project will offer a connection to the Perch Restaurant located in the Pershing Square building via the sky lobby located on Level 13. In total, the Project will include 72 private balconies, 12 private cantilevered pools, and 11 private cantilevered spas.

The Project will include a variety of commercial amenity uses, including 29,232 square feet of restaurant uses and a 6,119 square-foot banquet room. The banquet room will include a 1,586 square foot patio, which will be landscaped accordingly. A bicycle storage room, which will provide long and short-term bicycle parking will be located on Level B1, Level 3 and Level 4. Bicycle valet service will be provided for residents, hotel guests, and restaurant patrons 24 hours a day, seven days a week. Residents will be able to dine on-site and use the public spaces during hours of operation.

5. Site Plan Review Findings.

The following are the findings for Site Plan Review as required by LAMC 16.05.

a. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.

The Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community-specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, but not limited to, Land Use, Transportation, Noise, Safety, Housing and Conservation. The City's Land Use Element is divided into 35 Community Plans that establish parameters for land use decisions within those sub-areas of the City. The Project is consistent with the following Elements of the General Plan: Framework Element, Housing Element, Mobility Element and the Land Use Element – Central City Community Plan.

As discussed below, the Project will be consistent with the purpose, intent, and provisions, of the City's General Plan and its elements including the Framework Element, Housing Element, and Mobility Element, and the Land Use Element-the Central City Community that relate to housing, economic vitality, hotel and entertainment development, and the Citywide Design Guidelines. The Project is consistent with the surrounding development

located in the Historic Core District within the Central City Community Plan and the Project will not result in a substantial change to Pershing Square.

Framework Element

The Los Angeles General Plan Framework Element provides guidance regarding policy issues for the entire City, as well as sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. As identified in the Figure 3-1, Metro Long Range Land Use Diagram of the Framework Element, the Project Site is located within an area designated as the Downtown Center. The Framework Element generally characterizes the Downtown Center as having up to a 13:1 FAR and high-rise buildings. The Framework Element contains the following relevant goals, and objectives, as it relates to Downtown Centers:

> *Goal 3G: A Downtown Center as the primary economic, governmental, and social focal point of the region with an enhanced residential community.*
>
> ***Objective 3.11***: *Provide for the continuation and expansion of government, business, cultural, entertainment, visitor-serving, housing, industries, transportation, supporting uses, and similar functions at a scale and intensity that distinguishes and uniquely identifies the Downtown Center.*
>
> In addition, the Framework Element contains the following goals and objectives as they relate to housing:
>
> *Goal 3C: Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.*
>
> ***Objective 3.7:*** *Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.*
>
> ***Objective 4.2****: Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.*

The Project is consistent with and meets the goals of the Downtown Center designation by providing a 53-story, high-rise, mixed-use project with 190 hotel guest rooms, 31 residential condominium units and 29,232 square feet of restaurant uses with a FAR of 13:1. The Project Site is well-served by public transit, including both rail and bus service. The Project is located across the street (north of) the Pershing Square Metro Rail Station (Red/Purple lines) and is 0.5 miles from the 7th and Metro Center Rail Station (Red/Purple, Blue/Expo lines), and is 1.1 miles from the Little Tokyo Metro Rail station (Gold line). These subway lines provide access to other transit lines operated by Metro and connect passengers to Pasadena, East Los Angeles, Long Beach, Culver City, Santa Monica, Hollywood, Koreatown, and North Hollywood. Prior to Project buildout (2023), Metro forecasts 2021 as completion of construction of the Regional Connector Project, which would expand service by connecting the Gold, Blue, and Expo Light Rail Lines expanding destinations at both stations. The Project Site is also served by Metro bus lines (Local (2, 4, 10, 16, 17, 18, 20, 28, 30, 33, 37, 40, 45, 48, 53, 55, 60, 62, 66, 68, 70, 71, 76, 79, 81,

83, 90, 91, 92, 94, and 96), Limited (316, 330, 355, 378, 487, and 489), Express (442 and 460), and Rapid (720, 728, 733, 745, 760, 770, and 794), and Silver Line), LADOT Commuter Express bus lines (419, 431, and 437), and LADOT Downtown Area Shuttle lines (DASH B, D, and E), Foothill Transit bus lines (493, 495, 497, 498, and 499), the Big Blue Bus line 10, and Torrance Transit line 4.

The Project's location is well-served by infrastructure, as the area is currently developed with a mix of uses, each connected to various existing utilities serving the area.

The Project will be compatible with the densely developed surroundings and will be in close proximity to jobs, housing, and a wide range of uses and public services. The intensity and mix of the proposed hotel, residential, and commercial uses are compatible with the current density and mix of uses in the area, and will contribute to the establishment of a 24-hour community in downtown Los Angeles. The Project is considered an infill development within a developed and improved area of the City, which was designated for high-density residential development and regional-serving commercial uses by the Framework Element Downtown Center designation. The Project will contribute to job creation and increased City tax revenue generation, maintaining the strong image of downtown as the major center of the metropolitan region, and serving as a linkage and catalyst for other downtown development.

The Project will redevelop a vacant Site with hotel, residential, and restaurant uses and thus will enhance the neighborhood by providing new jobs and housing opportunities within proximity to transit. The Project is therefore consistent with the appropriate land uses for the Downtown Center land use designation as envisioned in the Framework Element.

Citywide Design Guidelines

The Citywide Design Guidelines, adopted by the City Planning Commission, establish a baseline for urban design expectations and present overarching design themes and best practices for residential, commercial, and industrial projects. Commission policy states that approved projects should either substantially comply with the Guidelines or achieve the same objectives through alternative methods, and that the Guidelines may be used as a basis to condition an approved project. These design guidelines focus on several areas of opportunity for attaining high quality design in mixed-use projects, including: enhancing the quality of the pedestrian experience along commercial corridors; nurturing an overall active street presence; establishing appropriate height and massing within the context of the neighborhood; maintaining visual and spatial relationships with adjacent buildings; and optimizing high quality infill development that strengthens the visual and functional quality of the commercial environment.

The building is comprised of an eight-story podium built to the property line to create a strong street wall, and a residential and hotel tower that is stepped back from the building edges in order to adjust the scale of the building experienced at the ground level. The Project will provide an open ground floor that along 5th Street that will be accessible to pedestrians, generous sidewalk widths, and landscape elements such as planters that encourage pedestrian activity.

Parking is provided within two levels of subterranean parking and three levels of above-grade parking. The three-above ground parking levels, visible from both Hill Street and 5th Street, will be screened by a water feature in which water will cascade from the top of Level 6 into a catch basin on Level 2. In addition to the water feature, the above-ground parking levels will be screened by an open joint glazing assembly with painted metal back-pans. The metal back-pan will include a graphic, either cut into the metal or painted on, so that vehicles and/or headlights are not visible from the outside. Administrative and meeting rooms will be located on Level 6 and outdoor and indoor restaurant and bar areas will be located on Levels 7 and 8.

The Project will be designed with window treatments, contemporary architectural design features, and building articulations and will include a variety of building materials, such as different types of glass, concrete, metal, and stone, that will provide horizontal and vertical articulation that break up the building planes and reduce the visual mass of the building. The Project will include a transparent ground floor and open entryway that will provide shelter and promote an active pedestrian street presence. At the higher residential levels, the building will intersperse cantilevered terraces, pools and spas. These varied surface materials will provide horizontal and vertical articulation that break up the building planes and reduce the visual mass of the building. Glass used in building façades will be non-reflective or treated with a non-reflective coating to minimize glare; glazing used would have the minimum reflectivity needed to achieve energy efficiency standards.

The scale of the eight-story podium and four-story cutout are consistent with the surrounding buildings' size, including the adjacent Pershing Square Building to the west and south, and the Metropolitan Building to the immediate east. Additionally, the podium's horizontal elements will align with the datum lines, cornices, scale, and will be proportionate to the two adjacent buildings. The Project combines design, density, a mix of uses that will be open 24 hours, seven days a week for the community and visitors, which includes outdoor/indoor dining, seating, bike parking and neighborhood circulation to and from the adjacent spaces, all positioned to activate the street and contribute to a 24/7 livable, walkable community.

Based on its design and proposed amenities, the Project meets several goals listed throughout the Design Guide, including the following: street wall massing and articulation that help define the pedestrian environment at street level; parking access provided mid-block; building massing that is broken into a series of appropriately scaled buildings with passageways between buildings and residential unit spacing that provides distance between windows for appropriate line-of-sight ; providing publicly accessible open space and a paseo, lined with commercial uses, providing pedestrian linkages between streets; providing visual articulation and variation to enrich the pedestrian experience and contribute to the quality and definition of the street wall; building on and connecting to existing elements of the existing wholesale flower market to contribute to the civic and cultural life of downtown.

Housing Element

The Housing Element 2013-2021 was adopted on December 3, 2013 and identifies the City's housing conditions and needs, and establishes the goals, objectives and policies that are the foundation of the City's housing and growth strategy. The Project will be in conformance with the objectives and policies of the Housing Element as described below.

Goal 1: Housing Production and Preservation

Objective 1.1: *Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.*

Goal 2: Safe, Livable, and Sustainable Neighborhoods

Objective 2.1: *Promote safety and health within neighborhoods.*

Objective 2.2: *Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.*

Policy 2.2.2: *Provide incentives and flexibility to generate new multi-family housing near transit and centers, in accordance with the General Plan Framework Element, as reflected in Map ES.1.*

Policy 2.2.3: *Promote and facilitate a jobs/housing balance at a citywide level.*

Objective 2.3*: Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources.*

Policy 2.3.3: *Promote and facilitate the reduction of energy consumption in new and existing housing.*

Objective 2.4: *Promote livable neighborhoods with a mix of housing types, quality design and a scale and character that respects unique residential neighborhoods in the City.*

Policy 2.4.2: *Develop and implement design standards that promote quality development.*

The Project will support the City's objective to plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types, through the development of 31 new residential condominium units, comprised of 16 two-bedroom units, 14 three-bedroom units, and one four-bedroom unit. While the Project will not provide mixed-income housing, it will provide an opportunity for homeownership and balances the creation of jobs near residential units.

The Project will encourage the location of new housing to occur in proximity to transit by locating the Project in an area well-served by public transit, including the Pershing Square Metro Rail Station (Red/Purple lines) which is directly south of the Site (across 5th Street), the 7th and Metro Center Rail Station (Red/Purple, Blue/Expo lines) which is 0.5 miles from the Site, and the Little Tokyo Metro Rail station (Gold line) which is 1.1 miles from the Site and numerous bus stops. Additionally, the Project will be operational 24-hours a day, seven days a week, which will improve public safety.

In addition, the Project will obtain either a Leadership in Energy and Environmental Design LEED Silver certificate level, or equivalent and will comply with the 2017 Los Angeles Green Building Code (LAGBC), which is based on the 2016 California Green Building Standards Code (CalGreen). As proposed and conditioned, the Project will provide a minimum of five (5) percent total code required EV-installed and a minimum of 20 percent of the total code-required parking spaces capable of supporting future electric vehicle supply equipment (EVSE). In addition, all exterior windows and glass used on building surface will be non-reflective or treated with an anti-reflective coating to minimize glare (e.g., minimize the use of glass with mirror coatings), consistent with applicable Energy and Building Code requirements, including Section 14.03 of the California Energy Code

which will improve habitability for residents and neighboring properties by reducing the level of greenhouse gas emissions. The Project's restaurant uses will complement the employment base of the Community Plan area, meet the needs of local residents, and continue building on the strengths of the existing labor force and businesses in Downtown Los Angeles. Furthermore, the Project will provide a variety of open space areas within the Project Site, including recreational amenities for residents and for patrons of the hotel use and restaurant uses proposed by the Project. Therefore, the Project will be consistent with the applicable objectives and policies that support the goals set forth in the Housing Element.

Mobility Element

The Mobility Plan 2035 includes goals that define the City's high-level mobility priorities and sets forth objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. The Project will be in conformance with following objectives and policies of the Mobility Element as described below.

Chapter 3: Access for All Angelenos

Objective: *Ensure that 90 percent of households have access within one mile to the Transit Enhanced Network by 2035.*

Policy 3.3: *Promote Equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.*

Policy 3.8: *Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.*

As previously described, the Project will provide jobs and housing opportunities within close proximity to transit. The Project will provide 156 bicycle parking spaces, located on Levels B1, 3 and 4, and will be serviced by bicycle parking valet, 24–hours a day, seven days a week. Thus, the Project will be able to provide a service to local residents and employees in the area within close proximity to transit and through providing secure bicycle parking facilities on and around the Project Site.

Land Use Element – Central City Community Plan

The Project Site is located within the Central City Community Plan area, adopted on January 8, 2003, which is one of 35 Community Plans of which the Land Use Element of the General Plan is comprised. The Community Plan establishes goals, objectives, and policies for future developments at a neighborhood level and is further implemented through the LAMC. The goals, objectives, and policies of the Community Plan and the applicable regulations contained within the LAMC would permit the development of the site in a manner that is consistent with the above referenced goals and objectives of the Framework Element. The Central City Community Plan contains the following relevant objectives, and policies:

Objective 1-2: *To increase the range of housing choices available to Downtown employees and residents.*

Policy 1-3.1: *Encourage a cluster neighborhood design comprised of housing and services.*

***Objective 2-1**: To improve Central City's competitiveness as a location for offices, business, retail, and industry.*

***Policy 2-1.2**: To maintain a safe, clean, attractive, and lively environment.*

***Objective 2-3:** To promote land uses in Central City that will address the needs of all the visitors to Downtown for business, conventions, trade shows, and tourism.*

***Policy 2-3.1:** Support the development of a hotel and entertainment district surrounding the Convention Center/Staples Arena with linkages to other areas of Central City and the Figueroa corridor.*

***Objective 2-4:** To encourage a mix of uses which create an active, 24-hour downtown environment for current residents and which would also foster increased tourism.*

The Project Site is an infill site that is currently vacant. The Project will be operational 24-hours a day, seven days a week, which will result in more eyes on the street, increase activity in the area, and overall improve the area's public safety and welfare. Additionally, the proposed uses will improve the Historic Core District's economic base and provide uses that address the needs of all downtown visitors.

The Project will develop the Site with 31 residential condominium units, including 16 two-bedroom units, 14 three-bedroom units, and one four-bedroom unit. In addition to the residential condominium units, the Project will provide 190 hotel guest rooms, 29,232 square feet of restaurant use, and 129 vehicle parking spaces along with residential and hotel amenities. The commercial space will serve to provide services and amenities to the new and existing residents, as well as employees in the area. Thus, the Project will further the objectives and policies of the Central City Community Plan by introducing new residential condominium units and hotel guest rooms, and creating a safe and attractive site that could be frequented by residents, employees, and visitors of the downtown area.

The proximity of the Site to the Convention Center and LASED will locate both visitors and residents within walking distance to various businesses, conventions, trade shows, and tourist destinations and provide a linkage to the Figueroa corridor. Further, the Project will support the greater downtown area and Historic Core District as destinations, and will provide additional space for uses that complement the nearby LASED and Convention Center, contributing to its economic vitality and contributing to the establishment of a 24-hour community in downtown Los Angeles.

b. The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that is or will be compatible with existing and future development in neighboring properties.

The Project Site is located within the Central City Community Plan Area and Historic Core District of Downtown Los Angeles, which is generally characterized by government facilities, a high concentration of architecturally significant buildings, including nationally recognized historic theaters, office buildings, ground floor retail, and commercial buildings which have be converted to residential uses. Surrounding uses include the 16-story Pershing Square Building located at the northeast corner of 5th Street and Hill Street, the nine-story Metropolitan Building immediately to the east, a four-story commercial building and the 10-story Hotel Clark Building immediately to the north, Silver City located immediately to the south and the Metro Pershing Square Subway Station which is located

across 5th Street, to the south. Additionally, Pershing Square is located at the southwest corner of 5th Street and Hill Street.

The Project will develop the vacant site with a mixed-use building consisting of 190 hotel guest rooms, 31 residential condominium units, and 29,232 square feet of restaurants uses. In total the Project will contain up to 255,812 square feet of floor area on a 0.38-acre lot, for a FAR of 13:1. The proposed uses will be located within a 53-story building with a maximum height of 784 feet. The Project will provide 129 vehicle parking spaces within two subterranean and three-above grade parking levels; and 156 bicycle parking located on levels B1, L3 and L4.

Height

The building will be 53 stories for a maximum height of 784 feet, comprised of three distinct parts: an eight-story podium that includes a ground floor, second floor transitional lobby, three above-ground parking levels, restaurant space, meeting rooms, and back of house uses; a four-story cutout, comprised of an open volume between the top of the Level 8 podium and the Level 13 indoor/outdoor sky lobby area; and a hotel and residential tower.

Although the height of the proposed structure will be taller than the immediately surrounding buildings, the height of the eight-story podium and four-story cutout are generally consistent with the surrounding buildings' height, including the adjacent Pershing Square Building to the west and south and the Metropolitan Building located immediately to the east. The Pershing Square Building is 16-stories, including the 13 original stories with a three-story addition and the Metropolitan Building is a nine-story residential building with ground floor commercial. The podium's horizontal elements will align with the datum lines, cornices, scale, and the proportion of the two adjacent buildings. Additionally, while the hotel and residential tower will maintain frontage along 5th Street, the Project's frontage along Hill Street will only include the eight-story podium.

The development will fit within the range of other residential and mixed-use building heights in downtown, including the 52-story Gas Company Tower, located one block west of the Site. In addition, the Project will be compatible with new high-rise residential developments currently under construction such as the Park Fifth project, two 24-story mixed-use buildings located across Hill Street, PerLA on Broadway, a 35-story condominium tower located on the southeast corner of Broadway and 4th Street, the proposed Angel's Landing mixed-use development, a 27-story tower and 88-story tower, located at the northwest corner of 4th and Hill Street, and the proposed 4th and Hill mixed-use development, a 33-story tower located at the northeast corner of 4th Street and Hill Street.

Furthermore, the Project has been designed to be sensitive to existing surrounding development such that the eight-story podium and four-story cutout is of similar massing and height at street level to the surrounding buildings, while the hotel and residential tower's cantilevered terraces, pools, and spas will extend north, west, and south, away from Historic Broadway Theater District. As such, approval of the Project will enable the development and use of the Site for hotel, residential, and commercial purposes consistent with the scale of existing and future proposed developments within the surrounding neighborhood.

Bulk & Mass

The surrounding area is currently developed with a mix of government facilities, historic theaters, office buildings, ground floor retail, and commercial buildings which have been converted to residential uses and are contained within medium-rise to high-rise buildings. The Project will maintain frontage along Hill Street and 5th Street, however as stated

above, the hotel and residential tower will be positioned along 5th Street with the cantilevered terraces, pools, and spas not extending into the Historic Broadway Theater District.

The horizontal and vertical articulation and the two water features that would screen the above-grade parking levels (Levels 3 through 5) break up the building planes and soften the visual mass of the building in relation to the surrounding buildings. While the ground floor would be open to pedestrians 24 hours a day, seven days a week, a continuous street wall is created by Levels 2 through 8. The only additional break in the street wall will be for the four-story cutout which will provide an open-air outdoor area for guests and residents and allow light to pass through the building's core.

Off-Street Parking and Loading Area

Vehicular access to the Project Site is currently provided via one driveway along Hill Street. Operation of the Project would require a new driveway to be constructed along 5th Street. Vehicles would enter the Site via the Hill Street driveway and would exit the Site via 5th Street. Separate on-site vehicle drop-off/pick up areas would be accessible to residential and hotel guests. Additionally, a loading area would be designated on-site. The Hill Street driveway would be 12 feet wide and the 5th Street driveway would be 20 feet wide. Project driveways and access would be designed according to LADOT standards.

As discussed above, the Project will be required to provide 129 vehicle parking spaces. The Project includes two subterranean and three above-grade levels on Levels 3 through 5. The three-above ground parking levels (visible from both Hill Street and 5th Street) will be screened by a water feature in which water would cascade from the top of Level 6 into a catch basin on Level 2. In addition to the water feature, the above ground parking levels will be screened by an open joint glazing assembly with painted metal back-pans. The metal back-pan will include a graphic, either cut into the metal or painted on, so that vehicles and/or headlights are not visible from the outside.

The Project includes immediate installation of Electric Vehicle (EV) charging stations for five percent of the total code-required parking spaces and wiring for future installation of EV charging stations for 20 percent of the total code-required parking spaces. Due to the constrained footprint of the Site, the Project will employ innovative parking and circulation solutions, including a valet residential and hotel service that will drive the vehicles into automated car lifts, which will then move the vehicles to a parking level and the valet service will drive the vehicle to an available parking space.

Operating hours for the loading dock will be 24-hours per day, seven days per week. The loading zone is located on-site and accessible via the ingress drive along Hill Street. The loading zone has been positioned as far away from the hotel and residential tower as possible to ensure minimal disturbance.

Landscaping

The Project will include trees and landscaping on the ground floor and Levels 7, 8, 14, 16, 19 and 38. The landscaping for the Project Site would include both native and adaptive native plant materials. Pursuant to LAMC Section 12.21 G.2(a)(3), the Project will include 31 residential condominium units and is therefore required to provide a total of eight trees on-site. In conjunction with the Director's Determination to permit a 10-percent reduction

in the required area for planning of ground cover, shrubs, and trees for a minimum of 15-percent of the total required usable common open space, the Project provides 20 trees.

Trash Collection
As conditioned, all trash and recycling areas shall be enclosed and not visible from the public right-of-way.

Lighting & Building Signage
The Project will add new hotel, residential condominium units, and commercial uses that will include similar lighting effects as provided from the existing adjacent residential and commercial land uses, in compliance with LAMC requirements. Additionally, because the Project is located adjacent to residential uses, the Project has been designed and conditioned to further protect adjacent uses from lighting related impacts, including requirements for outdoor lighting to shine downward, be installed with shielding, and be directed onto the project site, so that the light source does not directly illuminate any adjacent properties or the above night skies. Above-grade parking levels are designed with exterior screening and paneling to minimize potential glare of headlights and light spillover. As conditioned, night lighting for the Project will be provided to illuminate building vehicular and pedestrian entrances. The glass bottom pool lights will also be lit and will be visible from the street level. Lighting will be low-level and ground- and/or building-mounted fixtures.

Signage for mixed-use developments typically includes building address identification, commercial retail, wayfinding, and security markings. While no signage has been proposed as part of the Project work scope at this time, all future signage will be required to comply with the LAMC. In addition, the Project has been conditioned so that there shall be no off-site commercial signage on construction fencing during construction.

As described above, the Project is a high-rise tower with hotel, residential, and restaurant uses that will be compatible with existing and future development on adjacent and neighboring properties with regards to height, bulk, and setbacks, off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements. Therefore, the arrangement of the development is consistent and compatible with existing and future development in neighboring properties.

c. That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.

As discussed above in Finding 4(b), the Project will improve habitability for its residents by placing residents in proximity to on-site recreational amenities. Pursuant to LAMC 12.21 G.2, based on the number of units and the mix of unit types, 4,975 square feet of residential open space is required, and a total of 7,359 square feet of common open space is provided. The Project's open space will include a total of 4,564 square feet of exterior open space, 1,244 square feet of interior open space, and 1,550 square feet of private open space. Exterior open space will be provided on Levels 19 and 38 in the form of a pool and spa deck and an amenity terrace. Interior open space will include the fitness center located on Level 19. Residential private terraces will make up the private open space areas.[5]

[5] Pursuant to LAMC 12.21 G(B) (2)(i), no more than 50 square feet per dwelling unit shall be attributable to the total required usable open space.

The residential and commercial amenities are wholly within the Project Site, and are not expected to impact neighboring properties. Conversely, the Project will ultimately benefit the surrounding neighborhood because it is subject to Section 12.33 E of the Los Angles Municipal Code, which will require a parks and recreation fee for a new residential subdivision with 50 units or less, which can be used to develop or program neighborhood and community parks.

By combining design, density, and indoor and outdoor open spaces, the Project Site will greatly add to the livability of the residents for generations to come. As proposed, the Project will be providing open space in excess of what is required by the LAMC and has programmed the open space to take into consideration the varying recreational needs of the future residents. Therefore, the Project will provide recreational and service amenities to improve the habitability for its residents and minimize impacts on neighboring properties.

CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") FINDINGS

I. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT BY THE INITIAL STUDY

The City Planning Department prepared an Initial Study dated March 6, 2017. The Initial Study is located in Appendix A-1 of the Draft EIR. The Initial Study found the following environmental impacts not to be significant or less than significant:

I. Aesthetics
- **a.** Scenic Vista
- **b.** Scenic Resources
- **c.** Visual Character
- **d.** Substantial Light or Glare

II. Agricultural and Forestry Resources
- a. Farmland
- b. Existing Zoning for Agricultural Use
- c. Forest Land or Timberland Zoning
- d. Loss or Conversion of Forest Land
- e. Other Changes in the Existing Environment

III. Air Quality
- a. Objectionable Odors

IV. Biological Resources
- a. Special Status Species
- b. Riparian Habitat and Wetlands
- c. Wetlands
- d. Movement of any Resident or Migratory Species
- e. Local Preservation Policies
- f. Habitat Conservation Plans

V. Cultural Resources
- a. Human Remains

VI. Geological Resources

a. Seismic
b. Soil Erosion
c. Septic Tanks

VII. Hazards and Hazardous Materials
a. Airport Land Use Plans
b. Private Airstrips
c. Wildland Fires

VIII. Hydrology and Water Quality
a. Mapped 100-Year Flood Hazard Areas
b. 100-Year Flood Hazard
c. Flooding
d. Seiche, Tsunami or Mudflow

IX. Land Use and Planning
a. Divide an Established Community
b. Habitat or Natural Community Conservation Plans

X. Mineral Resources
a. Loss of Known Mineral Resources
b. Loss of Mineral Resources Recovery Site

XI. Noise
a. Airport Land Use Plans
b. Private Airstrips

XII. Population and Housing
a. Displacement of Existing Housing
b. Displacement of Existing Residents

XIII. Transportation/Circulation
a. Air Traffic Patterns

XIV. Utilities
a. Wastewater Treatment Requirements
b. Compliance with Solid Waste Federal, State, and Local Statues

VI. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT PRIOR TO MITIGATION

The following impact areas were determined to be less than significant, and based on that analysis and other evidence in the administrative record relating to the project, the City finds and determines that the following environmental impact categories will not result in any

significant impacts and that no mitigation measures are needed:

1. Aesthetics

Enacted in 2013, SB 743 adds Public Resources Code Section 21099, which provides that "aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." As set forth in the Draft EIR, the Project is a mixed-use residential project on an infill site within a transit priority area. Therefore, the Project's aesthetic impacts, pursuant to SB 743, shall not be considered to besignificant impacts. CEQA Appendix G, which includes a comprehensive list of environmental topics under CEQA, does not expressly list shade and shadow impacts. The Los Angeles CEQA Thresholds Guide, however, considers shade and shadow impacts to be a type of aesthetic visual character impact. The City has issued Zoning Information File (ZI) No. 2452, confirming that SB 743 applies to a project's aesthetic impacts, including shade and shadow impacts. Therefore, aesthetic impacts are less than significant.

1. Project Design Features

The City finds that Project Design Features AES-PDF-1 through AES-PDF-3, as described above, and which are incorporated into the Project and is incorporated into these Findings as though fully set forth herein, reduce the potential impacts to archaeological resources. The Project Design Feature was taken into account in the analysis of potential impacts.

2. Air Quality

1. Conflict with or Obstruct Implementation of an Applicable Air Quality Plan

The South Coast Air Quality Management District's (SCAQMD) 2012 Air Quality Management Plan (AQMP) contains a comprehensive list of pollution control strategies directed at reducing emissions and achieving the National Ambient Air Quality Standards. As set forth in Section IV.A of the Draft EIR, the Project is consistent with SCAQMD rules and regulations and SCAG policies, including the AQMP, and the City's General Plan Air Quality Element. Therefore, impacts are less than significant.

2. Regional Emissions

(i) Construction

Table IV.A-5 of the Draft EIR summarizes the proposed construction schedule that was modeled for air quality impacts. As shown in Table IV.A-6 of the Draft EIR, estimated daily Project construction emissions would not exceed the SCAQMD's regional thresholds. As a result, construction of the Project would not substantially contribute to an existing violation of air quality standards for regional pollutants (e.g., ozone). Therefore, regional air quality construction impacts are less than significant.

(ii) Operation

As shown in Table IV.A-7 in Section IV.A Air Quality, the Project would not exceed the SCAQMD's regional thresholds. Therefore, the Project's regional operational impacts on regional air quality are less than significant.

3. Localized Emissions

(i) Construction

As shown in Table IV.A-6 of the Draft EIR, the Project would produce emissions that do not exceed the SCAQMD's recommended LSTs for NO_2 and CO during the construction phase. Similarly, construction activities would not produce PM_{10} and $PM_{2.5}$ emissions that exceed LSTs recommended by the SCAQMD. Therefore, localized construction emissions impacts are less than significant.

(ii) Operation

As shown in Table IV.A-7 of the Draft EIR, localized operational emissions would not approach the SCAQMD's LSTs that signal when there could be human health impacts at nearby sensitive receptors during long-term operations. Therefore, the Project's localized operational impacts are less than significant.

4. Toxic Air Contaminants

(i) Construction

The greatest potential for Toxic Air Contaminants (TAC) emissions during construction comes for diesel particulate matter emissions associated with heavy-duty equipment during demolition, excavation and grading activities. Potential TAC impacts during proposed construction activities were evaluated by identifying potential sources of TAC emissions. Page IV.A-36 of the Draft EIR identified the greatest potential sources of TAC emissions during construction are from diesel particulate (DPM) emissions associated with heavy equipment operations. DPM has no acute exposure factors and, therefore, the discussion appropriately focused on long-term exposure that could lead to carcinogenic risk. The SCAQMD Handbook does not recommend analysis of TACs from short-term construction activities. The rationale for not requiring a health risk assessment for construction activities is the limited duration of exposure. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk. Specifically, "Individual Cancer Risk" is the likelihood that a person continuously exposed to concentrations of TACs over a 70-year lifetime will contract cancer based on the use of standard risk assessment methodology. Given the short-term construction schedule of approximately 36 months, the Project does not result in a long-term (i.e., 70-year) source of TAC emissions, as disclosed on page IV.A-36 of the Draft EIR. No residual emissions and corresponding individual cancer risk are anticipated after construction. Because there is such a short-term exposure period, the Project's construction TACs impacts are less than significant.

(ii) Operation

As discussed in Section IV.A Air Quality, of the Draft EIR, the Project does not include typical sources of acutely and chronically hazardous TACs such as industrial manufacturing processes and automotive repair facilities. As a result, the Project would not create substantial concentrations of TACs. Therefore, the Project's operational TACs impacts are less than significant.

5. Sensitive Receptors

(i) Construction

As illustrated in Table IV.A-6 of the Draft EIR, nearby receptors would not be exposed to substantial concentrations of localized pollutants PM_{10} and $PM_{2.5}$ during construction of the

Project. Specifically, construction activities would not exceed SCAQMD LST screening thresholds. Therefore, construction impacts on sensitive receptors are less than significant

(ii) Operation

The Project would generate long-term emissions on-site from area and energy sources that would generate negligible pollutant concentrations of CO, NO_2, $PM_{2.5}$, or PM_{10} at nearby sensitive receptors. While long-term operations of the Project would generate traffic that produces off-site emissions, these would not result in exceedances of CO air quality standards at roadways in the area. Therefore, operational impacts on sensitive receptors are less than significant.

6. Cumulative Impacts

According to the SCAQMD, individual construction projects that exceed the SCAQMD's recommended daily thresholds for Project-specific impacts cause a cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in nonattainment. Construction of the Project has less-than-significant impacts with regard to regional emissions, localized emissions, and TAC emissions. Therefore, the Project's contributions to cumulative regional emissions, cumulative localized emissions, and cumulative TAC emissions are less than significant.

According to the SCAQMD, if an individual Project results in air emissions of criteria pollutants that exceed the SCAQMD's recommended daily thresholds for Project-specific impacts, then the Project results in a cumulatively considerable net increase of these criteria pollutants. Operation of the Project has less-than-significant impacts with regard to cumulative regional emissions, localized emissions, and TAC emissions. Therefore, the Project's contributions to cumulative regional emissions, cumulative localized emissions, and cumulative TAC emissions are less than significant.

7. Project Design Features

The City finds that no specific Project Design Features are incorporated into the Project to reduce its potential impacts on air quality.

3. Cultural Resources

1. Archaeological Resources

The results of the archaeological records search in the Draft EIR indicate that there are no identified archaeological resources within the Project Site and eight archaeological sites are located within a 0.5-mile radius of the Project Site. If an archaeological resource were to be discovered during construction of the Project, then work in the area would cease, and deposits would be treated in accordance with federal and state regulatory requirements, including those set forth in Public Resources Code Section 21083.2 with respect to any unique archaeological resource. As previously discussed, the results of the archaeological records search indicate that there are no archaeological resources within the Project Site. However, the exploratory borings conducted at the Project Site encountered intact building foundations and materials (e.g., bricks), refuse deposits (e.g., privies), and individual artifacts (e.g., glass, ceramics, cans, personal items, etc.), which could be associated with any of the former buildings and occupants beginning at least in the 1890s. Excavation

activities to a depth of 46 feet to accommodate the two levels of subterranean parking and foundation and other building utilities would have the potential to encounter additional historic-period artifacts and features. If an archaeological resource were to be discovered during construction of the Project, specifically during excavation activities, then work in the area of the find would cease, and deposits would be treated in accordance with federal and state regulatory requirements, including those set forth in Public Resources Code Section 21083.2, with respect to any unique archaeological resource. Compliance with all required regulatory measures and CUL-PDF-1 would ensure that any potential unique archaeological resources are protected. With implementation of all applicable regulatory requirements and CUL-PDF-1, the Project's impacts related to archaeological resources are less than significant.

2. Cumulative Impacts

The Project Site vicinity is located within an urbanized area that has been substantially disturbed and developed over time, a condition that renders it less likely that archeological resources will be encountered. If archaeological resources are uncovered, each related Project will be required to comply with applicable regulatory requirements, such as CEQA Guidelines Section 15064.5, Public Resources Code Section 21083.2, Health and Safety Code Section 7050.5, and Public Resources Code Section 5097.9. Therefore, the Project's impacts to archaeological resources are not cumulatively considerable, and cumulative impacts are less than significant.

3. Project Design Features

The City finds that Project Design Feature CUL-PDF-1, as described above, and which is incorporated into the Project and is incorporated into these Findings as though fully set forth herein, reduce the potential impacts to archaeological resources. The Project Design Feature was taken into account in the analysis of potential impacts.

4. Geology and Soils

1. Landslides, Lateral Spreading, Subsidence, Liquefaction and Collapse

The Project Site is not at risk for landslides as the Project Site is relatively level with very little elevation change. Due to the very dense nature of the underlying soils and bedrock, and the depth to historic groundwater level, the underlying soils would not be prone to lateral spreading. The Project Site is not located within an area of known ground subsidence and no large-scale extraction of groundwater, gas, oil, or geothermal energy is occurring or is planned at the Project Site. A minimal amount of seismically-induced settlement of the Project Site would be expected as a result of strong ground shaking. However, due to the uniform nature of the underlying geologic materials, excessive differential settlements are not expected to occur. The Seismic Hazards Maps of the State of California does not classify the Project Site as part of the potentially "Liquefiable" area. This determination is based on groundwater depth records, soil type, and distance to a fault capable of producing a substantial earthquake. Based on the very dense nature of the underlying soils and bedrock, and the depth to historic highest groundwater level, the potential for liquefaction occurring at the Project Site is considered to be remote.

Based on these considerations, the Project would not cause the Project Site to become unstable, resulting in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse caused, in whole or in part, by the Project's exacerbation of existing environmental conditions. Therefore, Project impacts with respect to soil stability are less than significant.

2. Expansive Soil

Expansive soils contain significant amounts of clay, which may expand or shrink with moisture variations. Soil samples from the exploratory borings conducted at the Project Site indicate that on-site soils have very low expansion range. Positive site drainage would be incorporated into the building design, which would further protect the underlying soils from moisture intrusion and fluctuation. The Project would not be located on expansive soil and/or create a substantial risk to life or property cause in whole or in part by the Project's exacerbating the expansive soil conditions. Therefore, Project impacts with respect to expansive soils are less than significant.

3. Other Geological Conditions

There are no distinct and prominent geologic or topographic features (i.e., hilltops, ridges, hillslopes, canyons, ravines, rock outcrops, water bodies, streambeds, or wetlands) on the Project Site or in its vicinity. Therefore, the Project will not destroy, permanently cover, or materially and adversely modify any distinct and prominent geologic or topographic features, and impacts associated with landform alteration are less than significant.

4. Cumulative Impacts

Due to the site-specific nature of geological conditions (i.e., soils, geological features, subsurface features, seismic features, etc.), geology impacts are typically assessed on a project-by-project basis, rather than on a cumulative basis. Nonetheless, cumulative growth through 2023 in the Project area (inclusive of the 195 related projects identified in Section III, Environmental Setting, of the Draft EIR) will expose a greater number of people to seismic hazards. However, as with the Project, the related projects are subject to established guidelines and regulations pertaining to building design and seismic safety, including those set forth in the California Building Code and the Los Angeles Building Code. Therefore, with adherence to applicable regulations, Project impacts with regard to the exacerbation of geological and soils conditions will not be cumulatively considerable, and cumulative impacts with regard to geology and soils are be less than significant.

5. Project Design Features

The City finds that no specific Project Design Features are incorporated into the Project to reduce its potential impacts on geology and soils.

5. Greenhouse Gas Emissions

1. Consistency with Plans

As discussed in Section IV.D Greenhouse Gas Emissions, the Project complies with the plans, policies, regulations and GHG reduction actions/strategies outlined in the Climate Change Scoping Plan, the 2016–2040 RTP/SCS, the LA Green Plan, and the Sustainable City pLAn. Consistency with the above plans, policies, regulations and GHG reduction actions/strategies will serve to reduce GHG emissions for the Project. The Project's consistency with these plans, policies, and regulations, as well as the Project's incremental increase in GHG emissions would not result in a significant impact on the environment. Therefore, project-specific impacts with regard to climate change are less than significant.

2. GHG Emissions Generation

Compliance with a GHG emissions reduction plan renders a Project less than significant. In

support of the consistency analysis which describes the Project's compliance with or exceedance of performance-based standards included in the regulations and policies outlined in the applicable portions of the Climate Change Scoping Plan, the 2016–2040 RTP/SCS, the LA Green Plan, and the Sustainable City pLAn, quantitative calculations are provided in Table IV.D-9 of the Draft EIR.

The Project would result in direct and indirect GHG emissions generated by different types of emissions sources, including: construction, area sources, mobile sources, energy sources, solid waste, and water/wastewater. In addition, the Project would generate an incremental contribution to and a cumulative increase in GHG emissions.

As shown in Table IV.D-9 of the Draft EIR, when taking into consideration implementation of project design features, including the requirements set forth in the City of Los Angeles Green Building Code and the implementation of current state mandates, the GHG emissions for the Project in 2023 would total 4,975 $MTCO_{2e}$ per year. As shown in Table IV.D-10 of the Draft EIR, the Project's profile as an urban infill, mixed-use project with proximity to substantial public transit would produce substantial reductions over land uses that are located in a more typical community that has not coordinated its land use and transportation planning. The projected reductions in vehicle trips and VMT would range from 0-20 percent in reductions from pass-by trips, 50 percent from internal capture of trips, and up to 25 percent reductions from the substantial mode share from public transit. These would result in concomitant reductions in CO2e emissions that far exceed the State's AB 32 Scoping Plan goal of a four and a half percent reduction from the overall transportation sector by 2020. As such, the Project will meet and exceed its contribution to statewide climate change obligations that are under the control of local governments in their decision-making.

The analysis includes potential emissions under a No Action Taken ("NAT") scenario and from the Project at build-out based on actions and mandates expected to be in force in 2020 (e.g., Pavley I Standards). The NAT scenario was provided in the Draft EIR for informational purposes and to support the City's evaluation of the Project's emissions and consistency with applicable GHG reduction plans and policies. The Draft EIR's analysis included potential emissions under the NAT scenario and from the Project at build-out based on actions and mandates expected to be in force in 2020. Early-action measures identified in CARB's Climate Change Scoping Plan that have not yet been approved were not credited in that analysis. By not speculating on potential regulatory conditions, the analysis took a conservative approach that likely overestimated the Project's GHG emissions at build-out. As shown in Table IV.D-12 of the Draft EIR, the emissions for the Project and its associated CARB 2020 NAT scenario are estimated to be 7,624 and 4,975 $MTCO_{2e}$ per year, respectively, which shows the Project's consistency with applicable policies and plans will reduce emissions by 34.7 percent from CARB's 2020 NAT scenario.

3. Cumulative Impacts

Although the Project is expected to emit GHGs, the emission of GHGs by a single project into the atmosphere is not itself necessarily an adverse environmental effect. Rather, it is the increased accumulation of GHG from more than one project and many sources in the atmosphere that may result in global climate change. The resultant consequences of that climate change can cause adverse environmental effects. A project's GHG emissions typically are very small in comparison to state or global GHG emissions and, consequently, in isolation, they have no significant direct impact on climate change. The state has mandated a goal of reducing statewide emissions to 1990 levels by 2020, even though statewide population and commerce are predicted to continue to expand. In order to achieve this goal, CARB is in the process of establishing and implementing regulations to reduce statewide GHG emissions. Currently, there are no applicable CARB, SCAQMD, or City of Los Angeles significance thresholds or specific reduction targets, and no approved policy or guidance to assist in

determining significance at the Project or cumulative levels. Additionally, there is currently no generally accepted methodology to determine whether GHG emissions associated with a specific project represents new emissions or existing, displaced emissions. Therefore, consistent with CEQA Guidelines Section 15064h(3), the City, as lead agency, has determined that the Project's contribution to cumulative GHG emissions and global climate change is less than significant if the Project is consistent with the applicable regulatory plans and policies to reduce GHG emissions: CARB's *Climate Change Scoping Plan*, AB 900, SCAG's RTP/SCS, and the LA Green Plan.

The NAT comparison and SCAQMD's draft service population target demonstrate the efficacy of the measures contained in these policies. Moreover, while the Project is not directly subject to the Cap-and-Trade Program, that Program will indirectly reduce the Project's GHG emissions by regulating "covered entities" that affect the Project's GHG emissions, including energy, mobile, and construction emissions. More importantly, the Cap-and-Trade Program will backstop the GHG reduction plans and policies applicable to the Project in that the Cap-and-Trade Program will be responsible for relatively more emissions reductions if California's direct regulatory measures reduce GHG emissions less than expected. The Cap-and-Trade Program will ensure that the GHG reduction targets of AB 32 are met. Thus, given the Project's consistency with state, SCAG, and City of Los Angeles GHG emission reduction goals and objectives, the Project will not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. In the absence of adopted standards and established significance thresholds, and given this consistency, it is concluded that the Project's impacts are not cumulatively considerable and cumulative impacts with regard to GHGs will be less than significant.

4. Project Design Features

The City finds that Project Design Features GHG-PDF-1 and GHG-PDF-2, as described above, and which are incorporated into the Project and are incorporated into these Findings as though fully set forth herein, reduce the potential greenhouse gas emissions of the Project. These Project Design Features were taken into account in the analysis of potential impacts.

6. Hazards and Hazardous Materials

1. Transport, Use, or Disposal

(i) Construction

During demolition and building construction, hazardous materials, such as fuels, paints, solvents, and concrete additives could be used and, therefore, shall require proper management and, in some cases, disposal. The management of any resultant hazardous wastes could increase the opportunity for hazardous materials releases and, subsequently, the exposure of people and the environment to hazardous materials. Project construction shall occur in compliance with all applicable federal, state, and local requirements concerning the generation, handling, and disposal of hazardous waste. Therefore, impacts related to the use of hazardous materials during construction are less than significant.

(ii) Operation

Hotel and residential uses typically involve the use and storage of small quantities of

potentially hazardous materials in the form of cleaning solvents, paints, and pesticides for landscaping, hydraulic fluids for the elevators, refrigerant for the HVAC system, and petroleum products. The transport of hazardous materials and wastes (i.e., paints, adhesives, surface coatings, cleaning agents, fuels, and oils) would occur in accordance with federal and state regulations, including Resource Conservation and Recovery Act ("RCRA"), Title 49 of the Code of Federal Regulations ("CFR"), the California Vehicle Code, and the California Health & Safety Code. In accordance with such regulations, the transport of hazardous materials and wastes would only occur with transporters who have received training and appropriate licensing. Additionally, hazardous waste transporters would be required to complete and carry with him/her a hazardous waste manifest. Placarding of vehicles carrying hazardous materials would also occur in accordance with Title 49 of the CFR. Compliance with applicable City, state, and federal regulations related to the handling, storage, transport, and disposal of hazardous materials and waste during operation of the Project would ensure that no significant hazard to the public or the environment occurs. Therefore, impacts related to the use of hazardous materials during operation are less than significant.

2. Upset or Accident Conditions

The Project Site is currently vacant. Construction debris is present throughout the Project Site and is related to the former brick structure historically located on-site. There is the potential that the buried debris contains asbestos and lead-based paint ("LBP"). In the event any suspect asbestos-containing materials ("ACMs") or LBP is found, the Project would adhere to all federal, state, and local regulations prior to their disturbance and removal. These regulations include, but are not limited to, the Toxic Substances Control Act, RCRA, the federal and state Occupational Safety and Health Acts, SCAQMD Rule 1403 pertaining to asbestos emissions, and the Residential Lead-Based Paint Reduction Act. Abatement, air monitoring and final certification for abatement of ACMs would comply with all federal, state, and local regulations, including National Emission Standards for Hazardous Air Pollutants (NESHAPS, per Section 112 of the Clean Air Act), California Occupational Safety and Health Administration ("Cal/OSHA") and SCAQMD. The Project would also implement an Operations and Maintenance Program in order to safely manage any ACMs or LBPs found on the Project Site. Therefore, in compliance with with applicable federal and state standards and procedures, impacts associated with ACMs and LBP are less than significant.

3. Existing or Proposed Schools

(i) Construction

The Project Site is located within one-quarter mile of the Cal-Tot Child Care Center, located at 300 South Spring Street, 1,250 feet to the east. During construction, the Project Site would be surrounded by a temporary construction fence to minimize dust and prevent trespassing. The school would be shielded from the Project Site by intervening residential and commercial buildings to the east. All potentially hazardous materials would be used, stored, and disposed of according to manufacturers' specifications and in compliance with applicable federal, state, and local regulations. Thus, the use of such materials during construction would not create a hazard to a nearby school. Therefore, the Project would not emit hazardous emissions or handle hazardous materials or acutely hazardous materials, substances, or waste within 0.25 mile of an existing school, and construction impacts related to the use of hazardous materials within 0.25 mile of a school are less than significant.

(ii) Operation

During operation, the Project would only use small quantities of common hazardous

substances (such as cleaning solvents). The use of hazardous materials would be small-scale and entirely within the Project Site. Therefore, the Project would not emit hazardous emissions or handle hazardous materials or acutely hazardous materials, substances, or waste within 0.25 miles of an existing school, and operational impacts related to the use of hazardous materials within 0.25 miles of a school are less than significant.

4. List of Hazardous Materials Sites

As described Section IV.E Hazards and Hazardous Materials in the Draft EIR, the Project Site is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not exacerbate the current environmental conditions so at to create a significant hazard to the public or the environment. Therefore, as the Project Site is not located on a list of hazardous material sites, no impact will occur.

5. Emergency Plans

Temporary pedestrian or vehicular public right-of-way closures may be necessary during the construction phase for construction staging, equipment access, and pedestrian safety. Partial lane closures would not significantly affect emergency vehicles, the drivers of which normally have a variety of options for dealing with traffic, such as using their sirens to clear a path of travel or driving in opposing traffic lanes. Additionally, if partial closures to streets surrounding the Project Site become necessary, flagmen would be used to facilitate the traffic flow until such temporary street closures are complete.

Pursuant to Project Design Feature TRANS-PDF-1, a Construction Management Plan would be implemented during construction of the Project. See Section IV.K, Transportation/Traffic, of the Draft EIR for details of the Construction Management Plan. The Construction Management Plan would consider the nature and timing of specific construction activities and other projects in the vicinity, as well as disclose lane closure information, detour plans, truck routes, and staging plans, and identify specific actions that would reduce the effects from construction of the Project on the surrounding community. Construction of the Project would not substantially impede public access or travel on public rights-of-way, such as 5th Street or Hill Street (only a parking lane may be affected during construction as discussed further in Section IV.K of the Draft EIR, Transportation/Traffic), and would not interfere with any adopted emergency response plan or emergency evacuation plan. Emergency access would be maintained at all times.

Major roadways throughout the City, such as San Pedro Street, Figueroa Street, and 1st Street (all within 0.5 miles of the Project Site), are selected disaster routes. Disaster routes function as primary thoroughfares for movement of emergency response traffic and access to critical facilities. Immediate emergency debris clearance and road/bridge repairs for short-term emergency operations will be emphasized along these routes. The Project would not impede access to these routes. Therefore, Project construction would not impair the implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan, and impacts associated with emergency response and emergency evacuation plans during Project construction are less than significant.

The Project Applicant would prepare an emergency response plan for the Project, which would include, but not be limited to, the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments. The proposed access plan would provide adequate access to and from the Project Site in the event of an emergency. Further, the Project Applicant is required to submit the Project plot plan to the LAFD for review to ensure compliance with applicable Los Angeles Fire Code, California Fire Code, LABC, and National Fire Protection Association standards, thereby

ensuring that the Project would not create any undue fire hazard or obstacle to emergency access or response. Therefore, Project operation would not impair the implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan, and impacts associated with emergency response and emergency evacuation plans during Project operation are less than significant.

6. Cumulative Impacts

The related projects in the vicinity of the Project Site include retail, restaurant, residential, commercial and office uses. Each of the related projects shall require evaluation for potential threats, including those associated with the use, storage, and/or disposal of hazardous materials, ACMs, LBP, PCBs, and oil and gas, to public safety and schools in the Project vicinity and shall be required to comply with all applicable local, state, and federal laws, rules and regulations. Because environmental safety issues related to hazardous materials are largely site-specific, this evaluation shall occur on a case-by-case basis for each individual project affected, in conjunction with development proposals on these properties.

Although some related projects may have the potential to result in physical modifications to surrounding streets, both Project construction and operation does not require or result in any modifications to surrounding roadways. In addition, the Project shall not impede the implementation of any emergency response plan. Therefore, with full compliance with all applicable local, state, and federal laws, rules, and regulations and the implementation of Project Design Feature TRANS-PDF-1, the Project shall not have a cumulatively considerable contribution to impacts related to hazards and hazardous materials or emergency response plans. As such, the Project would not result in a cumulatively significant impact related to hazards and hazardous materials and cumulative impacts with hazards and hazardous materials will be less than significant.

7. Project Design Features

The City finds that Project Design Feature TRANS-PDF-1, as described above, and which is incorporated into the Project and are incorporated into these Findings as though fully set forth herein, reduce the potential impacts of the Project related to hazards and hazardous material. This Project Design Feature was taken into account in the analysis of potential impacts.

7. Hydrology and Water Quality

1. Water Quality Standards or Waste Discharge Requirements

(i) Construction

Construction activities, such as earth moving, maintenance of construction equipment, and handling of construction materials, can contribute to pollutant loading in stormwater runoff. With implementation of an Erosion Control Plan, site-specific Best Management Practices (“BMPs”) would reduce or eliminate the discharge of potential pollutants from stormwater runoff. In addition, the Project Applicant would be required to comply with City grading permit regulations and inspections to reduce sedimentation and erosion. During on-site grading and building construction, hazardous materials, such as fuels, paints, solvents, and concrete additives, would be used and would, therefore, require proper management and disposal. The management of any resultant hazardous wastes could increase the potential for hazardous material releases into groundwater. Compliance with all applicable federal, state, and local requirements concerning the handling, storage and disposal of hazardous waste would reduce

the potential to release contaminants into groundwater, exacerbate existing contaminants, or cause a violation of regulatory water quality standards.

Construction of the Project would not result in discharge that would cause: (1) pollution which would alter the quality of the water of the State (i.e., Los Angeles River) or groundwater to a degree which unreasonably affects beneficial uses of the waters; (2) contamination of the quality of the water of the State or groundwater by waste to a degree which creates a hazard to the public health through poisoning or through the spread of diseases; or (3) nuisance that would be injurious to health; affect an entire community or neighborhood, or any considerable number of persons; and occurs during or as a result of the treatment or disposal of wastes. Accordingly, construction of the Project would not violate any water quality standards or waste discharge requirements. Therefore, construction-related impacts on surface water quality and are less than significant.

(ii) Operation

Project operation would not increase concentrations of the items listed as constituents of concern for the Los Angeles River Watershed. Under section 3.1.3. of the Low Impact Development ("LID") Manual, post-construction stormwater runoff from new projects must be infiltrated, evapotranspirated, captured and used, and/or treated through high efficiency BMPs on-site for the volume of water produced by the 85th percentile storm event. The Project would implement either infiltration drywells, capture and use system, or biofiltration planters for managing stormwater runoff in accordance with current LID requirements. Operation of the Project would not result in discharges that would cause: (1) pollution which would alter the quality of the waters of the State (i.e., Los Angeles River) or groundwater to a degree which unreasonably affects beneficial uses of the waters; (2) contamination of the quality of the waters of the State or groundwater by waste to a degree which creates a hazard to the public health through poisoning or through the spread of diseases; or (3) nuisance that would be injurious to health; affect an entire community or neighborhood, or any considerable number of persons; and occurs during or as a result of the treatment or disposal of wastes. As is typical of most urban developments, stormwater runoff has the potential to introduce pollutants into the stormwater system. Potential pollutants include sediment, nutrients, pesticides, metals, pathogens, and oil and grease. The release of pollutants listed above would be reduced or minimized through the implementation of approved LID BMPs. However, the Project is not anticipated to result in releases or spills of contaminants that could reach a groundwater recharge area or spreading ground or otherwise reach groundwater through percolation.

Stormwater infrastructure on the Project Site, in compliance with LID BMP requirements, would control and treat stormwater runoff to account for the 85th percentile storm event. Implementation of LID BMPs would ensure operational impacts on surface water quality are less than significant. Accordingly, operation of the Project would not violate any water quality standards or waste discharge requirements. Therefore, the Project's potential impacts on surface water quality are less than significant.

2. Groundwater

(i) Construction

Project construction activities include site excavation up to 46 feet. Preliminary geotechnical borings conducted at the Project Site encountered groundwater at depths of 65 feet and 80 feet below grade, and, as such, construction of the Project would not require dewatering activities. Construction of the Project would not deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Therefore, construction impacts to groundwater are less than significant.

(ii) Operation

During Project operation stormwater would discharge to an approved location in the public right-of-way. Accordingly, operation of the Project would not deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Therefore, operational impacts to groundwater are less than significant.

3. Hydrology and Drainage

(i) Construction

Construction activities, such as excavation and grading of soils, would temporarily expose the underlying soil. Exposed and stockpiled soils could be subject to wind and conveyance into nearby storm drains during storm events. In addition, on-site watering activities to reduce airborne dust could contribute to erosion or siltation on- or off-site. During construction an Erosion Control Plan would be implemented and would include BMPs that manage runoff and reduce pollutants. Construction watering activities would be temporary and runoff discharges would be controlled. In addition, construction of the Project would comply with all applicable City grading permit regulations, plans, and inspections to reduce sedimentation and erosion. Through compliance with all NPDES General Construction Permit requirements, including preparation of a Stormwater Pollution Prevention Plans ("SWPPP"), implementation of BMPs, and compliance with applicable City grading regulations, the Project would not substantially alter the Project Site drainage patterns in a manner that would result in substantial erosion or siltation or flooding on- or off-site. Similarly, adherence to standard compliance measures during construction activities would not cause flooding, substantially increase or decrease the amount of surface water flow from the Project Site into a water body, or result in a permanent, adverse change to the movement of surface water. Thus, through compliance with U.S. EPA National Pollutant Discharge Elimination System ("NPDES") General Construction Permit requirements, implementation of BMPs, and compliance with applicable City grading regulations, construction of the Project would not substantially alter the drainage patterns of the Project Site in a manner that would result in substantial erosion or siltation or flooding. Construction activities would not result in a permanent adverse change to the movement of surface water. Construction-related impacts to surface water hydrology and drainage are less than significant.

(ii) Operation

Currently, the Project Site is undeveloped and completely permeable. No on-site drainage exist and stormwater collects on-site due to the site's lower elevation relative to Hill Street and 5th Street. The Project would develop the entire footprint of the Project Site resulting in 100 percent impervious area and, as such, erosion or siltation would not occur during operation of the Project. Table IV.F-2 of the Draft EIR compares the existing and proposed peak flow rate of stormwater runoff for the 50-year frequency storm event. As shown, the increase in imperviousness would not substantially increase runoff volume which could alter on-site drainage patterns that could result in flooding. Stormwater runoff would be discharged toward existing catch basins located on the adjacent public streets. Existing stormwater infrastructure, located at the corner of Hill Street and 5th Street, would have sufficient capacity to receive the slight increase in stormwater runoff resulting from the Project. Accordingly, operation of the Project would not substantially alter the drainage patterns of the Project Site in a manner that would result in substantial erosion or siltation or flooding. Operational impacts to site surface water hydrology and drainage are less than significant.

4. Stormwater

The Project would not cause flooding during the 50-year frequency storm event to create runoff that would exceed the capacity of existing or planned drainage systems. In addition, the LID requirements for the Project Site would outline the stormwater treatment post-construction BMPs required to control pollutants associated with storm events up to the 85th percentile storm event. Project BMPs would reduce the stormwater runoff and ensure that the Project would not result in additional sources of polluted runoff. As such, the Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts related to stormwater drainage system capacity and stormwater quality are less than significant.

5. Water Quality

As discussed in Section IV.E.1, of the Draft EIR, construction and/or operation activities of the Project would not result in stormwater runoff that would violate regulatory standards and, as such, would not substantially degrade water quality. Therefore, construction and operational impacts to water quality are less than significant.

6. Cumulative Impacts

The geographic context for the cumulative impact analysis on surface water hydrology is the Los Angeles River Watershed. In accordance with City requirements, the Project and related projects would be required to implement BMPs to manage stormwater runoff in accordance with LID guidelines. Furthermore, LADPW reviews projects on a case-by-case basis to ensure sufficient local and regional infrastructure is available to accommodate stormwater runoff.

Future growth in the Los Angeles River Watershed would be subject to NPDES requirements relating to water quality for both construction and operation. The Project Site is located in a highly urbanized area, and future development projects would also be subject to LID requirements. Thus, the Project would not result in a cumulatively considerable impact to surface water quality and/or discharge requirements and cumulative impacts with regard to surface water quality and discharge requirements are less than significant.

The geographic context for the cumulative impact analysis on groundwater level is the Central Sub-basin. No water supply wells, spreading grounds, or injection wells are located within a one-mile radius of the Project Site, and as discussed above, the Project would not have an adverse impact on groundwater levels. Similar to the Project, development of the related projects could result in changes in impervious surface area within their respective project sites. As the related projects are located in an urbanized area, any reduction in groundwater recharge due to the overall net change in impervious area would be minimal in the context of the regional groundwater basin. Additionally, although the Project would implement infiltration BMPs, as infiltration systems are designed to infiltrate only the greater of the 85th percentile storm and or the first 0.75 inch of rainfall for any storm event, the infiltration of stormwater as a means of stormwater treatment and management within related project sites would not result in a cumulative impact to groundwater hydrology. Thus, the Project would not result in a cumulatively considerable impact regarding groundwater depletion and cumulative impacts with regard to groundwater depletion are less than significant.

Future growth in the Central Sub-basin would be subject to Los Angeles Regional Water Quality Control Board ("LARWQCB") requirements relating to groundwater quality. The Project would not cause regulatory water quality standard violations, as defined in the California Code of Regulations, Title 22, Division 4, Chapter 15, and the Safe Drinking Water Act. As with the Project, the related projects would be required to comply with existing groundwater contamination statutes and regulations. Thus, the Project would not result in a cumulatively considerable impact to groundwater contamination and cumulative impacts with regard to

groundwater contamination are less than significant.

7. Project Design Features

The City finds that no specific Project Design Features are incorporated into the Project to reduce its potential impacts to hydrology and water quality.

8. Land Use

1. Consistency with Applicable Plans and Policies

The Project would be generally consistent with applicable goals, policies, and objectives in local and regional plans that govern development on the Project Site. Therefore, the Project would not be in substantial conflict with either the General Plan or Community Plan, or the whole of relevant environmental policies in other applicable plans. To be "consistent" with a general plan, a project must be "compatible with the objectives, policies, general land uses, and programs specified in the applicable plan," meaning the project must be "in agreement or harmony with the applicable plan." (*Sequoyah Hills Homeowners Assn. v. Cnty. of Oakland* (1993) 23 Cal.App.4th 704, 717-18; see also *Greenebaum v. City of Los Angeles* (1984) 153 Cal.App.3d 391, 406.) Further, "[a]n action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment." (*Friends of Lagoon Valley v. City of Vacaville* (2007) 154 Cal. App. 4th 807, 817.)

Various local plans and regulatory documents guide development of the Project Site. As discussed in Section IV.G, Land Use, of the Draft EIR, the Project would be consistent with the requirements and policies of SCAG's 2016-2040 RTP/SCS, the City's General Plan Framework Element, Conservation Element, Housing Element, Health and Wellness Element, Community Plan, LAMC, as well as other plans and guidelines applicable to the downtown area. As discussed in Section IV.G Land Use, of the Draft EIR, the Project would be compatible with the documents:

a. 2016-2040 SCAG RTP/SCS

A discussion of the Project's consistency with the policies applicable to individual development projects in the 2016-2040 RTP/SCS is presented in Table IV.G-1 of the Draft EIR. While the RTP/SCS focuses on transportation investments in the SCAG region, as demonstrated, the Project would be consistent with the applicable 2016-2040 RTP/SCS policies. Therefore, impacts are less than significant.

b. Los Angeles Downtown Strategic Plan

The adopted Downtown Strategic Plan provides direction and guidance for the area's continued development and evolution. While its policies provide for both business retention and attraction and seek to maintain the area's economic role in the regional economy, the Element emphasizes the development of new housing opportunities and services to enliven the downtown and capitalize on the diversity of the City's population. Table IV.G-2 of the Draft EIR lists the applicable objectives of the Downtown Strategic Plan with which the Project is

consistent. Therefore, impacts are less than significant.

c. General Plan Framework Element

The City of Los Angeles General Plan Framework Element, adopted in December 1996 and readopted in August 2001, sets forth general guidance regarding land use issues for the City and defines citywide policies regarding land use that influence the Community Plans and most of the City's General Plan Elements. Specifically, the General Plan Framework Element defines Citywide policies for land use, housing, urban form and neighborhood design, open space and conservation, economic development, transportation, and infrastructure and public services. As shown in Table IV.G-3 of the Draft EIR, the Project would be consistent with the applicable policies of the Framework Element. Therefore, impacts are less than significant.

d. General Plan Conservation Element

The Conservation Element established an objective to protect important cultural and historical sites and resources for historical, cultural, research, and community educational purposes and a corresponding policy to continue to protect historic and cultural sites and/or resources potentially affected by proposed land development, demolition, or property modification activities. The Project's consistency with the City's General Plan Conservation Element objectives and policies is discussed in Table IV.G-4 of the Draft EIR. The Project would be consistent with the applicable policies and therefore, impacts are less than significant.

e. General Plan Housing Element

The Project's consistency with the applicable policies set forth in the General Plan Housing Element is analyzed in Table IV.G-5 of the Draft EIR. The Project would provide a variety of housing types (including two-, three- and four-bedroom units) in an area that is pedestrian-friendly and served by public transit; facilitate new construction of a range of different housing types; and expand opportunities for residential development, particularly in a designated Downtown Center and Regional Center Commercial area. Specifically, the Project would develop a total of 31 residential units. The Project would also promote the construction of green buildings by incorporating sustainable design features, including energy conservation, water conservation, alternative transportation programs, a pedestrian- and bicycle-friendly site design, and waste reduction measures. A portion of the required TFAR benefits may potentially be allocated towards affordable housing or other public benefits. Therefore, the Project would be consistent with the applicable policies set forth in the Housing Element and impacts are less than significant.

f. General Plan Health and Wellness Element

The Project's consistency with the General Plan Health and Wellness Element land use policies are discussed in Table IV.G-6 of the Draft EIR. As shown therein, the Project would be consistent with the applicable policies. Therefore, impacts are less than significant.

g. Central City Community Plan

The Project Site is located within the Central City Community Plan which was adopted in 2003. The Community Plan objectives and policies are included in Table IV.G7 of the Draft EIR. As shown therein, the Project would be consistent with the applicable objectives and policies. Therefore impacts are less than significant.

h. Citywide Design Guidelines

The City's Citywide Design Guidelines that are applicable to the Project are included in Table IV.G-8 of the Draft EIR. As shown, the Project would develop a variety of floor plan layouts and bedroom types and would be consistent with the applicable guidelines. Therefore, impacts are less than significant.

i. Downtown Design Guide

The Downtown Design Guide encourages Downtown Los Angeles to develop as a more sustainable community with an emphasis on walkability and the making of great streets, districts and neighborhoods. The focus of the Design Guide is the relationship of the buildings to the street, including sidewalk treatment, the character of the building as it adjoins the sidewalk and connections to transit. The Project would generally comply with the standards and guidelines, particularly regarding the relationship of the building to the street and pedestrian activities along Hill Street and 5th Street and ensuring that the Project is developed at a human/pedestrian scale. As a development within the Downtown Center and with a land use designation of Regional Center Commercial, the Project would result in an improved streetscape that would promote pedestrian activity by providing ground floor access to commercial uses. The Project would provide landscaping elements on the ground floor along the Project Site's 5th Street driveway. The Project would be designed with window treatments, contemporary architectural design features, and building articulations. The Project would include a variety of building materials, such as different types of glass, concrete, metal, and stone, that would provide horizontal and vertical articulation that break up the building planes and reduce the visual mass of the building. At the higher residential levels, the building would begin to appear to have a more randomized volume at each floor. This architectural design is achieved by interspersing cantilevered pools and terraces in an increasingly non-uniform way towards the top of the building. These varied surface materials would provide horizontal and vertical articulation that break up the building planes and reduce the visual mass of the building. Glass used in building façades would be non-reflective or treated with a non-reflective coating to minimize glare; glazing used would have the minimum reflectivity needed to achieve energy efficiency standards. Based on the above, the Project would generally comply with the standards and guidelines established by the Design Guide. The Project would comply with all applicable requirements set forth in the Downtown Design Guide and impacts are less than significant.

j. City's Walkability Checklist

The Walkability Checklist consists of a list of design elements intended to improve the pedestrian environment, protect neighborhood character, and promote high quality urban form. As stated within the Walkability Checklist, while each of the implementation strategies should be considered for a project, not all will be appropriate for every project, and each project will involve a unique approach. The Walkability Checklist is tailored primarily for the new construction of residential and commercial mixed-use use projects. The Walkability Checklist addresses the following topics, each of which is discussed further below, as applicable: sidewalks; crosswalks/street crossings; on-street parking; utilities; building orientation; off-street parking and driveways; on-site landscaping; building façade; and building signage and lighting. The Project would incorporate, where applicable, many of the implementation strategies presented in the Walkability Checklist and would implement a number of relevant design elements in order to foster a visually appealing pedestrian environment. The Project would support the applicable Walkability Checklist objectives and implement relevant strategies as described in the specific elements above. As such, the Project would be consistent with relevant aspects of the Walkability Checklist and impacts are less than significant.

k. City of Los Angeles Municipal Code

The Project Site is zoned C2- 4D. The C2 designation indicates that the Project Site is zoned for a wide range of commercial uses, including hotel and restaurant. The zoning also permits residential uses by right. While Height District 4 permits an FAR of 13:1, the maximum permitted floor area of the Project Site is restricted by the "D" limitation, which restricts the FAR to 6:1 without a transfer of floor area (per Ordinance 164,307). A maximum of 13:1 FAR is permitted through a TFAR. An FAR of 6:1 permits a total floor area of approximately 120,318 square feet. Additionally, the Project Site is located in a State Enterprise Zone, Transit Priority Area, and the Greater Downtown Housing Area.

Pursuant to Ordinance No. 181,574 and LAMC Section 14.5.6 B., a TFAR allows the transfer of unused allowable floor area of a lot from a Donor Site to a Receiver Site for projects involving transfers of 50,000 square feet or greater. The Project Applicant requests approval of a TFAR of 160,711 square feet from the Los Angeles Convention Center Site at 1201 South Figueroa Street as the Donor Site, a City-owned property, to the Project Site as the Receiver Site. Approval of the TFAR would increase the total floor area of the Project to 260,689 square feet, which exceeds the base FAR otherwise permitted under the "D" Limitation, from a FAR of 6:1 to 13:1. In addition, LAMC Section 14.5.9 requires that an approved Transfer Plan shall provide a Public Benefit Payment to serve a public purpose. The Project would be consistent with the LAMC and impacts are less than significant.

2. Cumulative Impacts

As indicated in Section III, Environmental Setting, of the Draft EIR, there are 194 related projects in the vicinity of the Project Site. The related projects generally consist of infill development and redevelopment of existing uses, including mixed-use, residential, commercial, office, restaurant, retail, school, hotel, and combinations thereof. Such related projects are also not expected to fundamentally alter the existing land use relationships in the community but, rather, will concentrate development on particular sites and promote a synergy between existing and new uses and overall connectivity of the downtown community. Therefore, the Project and the related projects do not have cumulatively significant land use impacts. The balance of the related projects will not cause cumulative land use impacts due to their similar characteristics (i.e., mixed-use residential and commercial projects) and because of their distance from the Project Site buffered by existing intervening development. Finally, the Project itself is consistent with applicable land use plans and zoning standards. Based on the mix of uses and buildings that currently comprise the downtown community, as well as the proposed uses, as detailed in Table III-1 in Section III, Environmental Setting, of the Draft EIR, the Project is compatible with the uses of various existing and proposed developments in the immediate vicinity of the Project Site, as well as with the existing and proposed uses planned throughout the surrounding vicinity. The Project would not result in a cumulatively considerable impact to land use and cumulative impacts with regard to land use will be less than significant.

3. Project Design Features

The City finds that no specific Project Design Features are incorporated into the Project to reduce its potential impacts to land use.

9. Noise

1. Noise Level Standards

(i) Off-Site Construction

With regard to off-site construction-related noise impacts, grading activities would require haul trucks to export excavated soils from the Project Site to a regional landfill. Such activity can marginally increase ambient noise levels at any roadside sensitive receptors. However, roadways in the vicinity of the Project have existing elevated noise levels from traffic. The applicable criteria to evaluate off-site construction impacts for the Project under the 2006 L.A. CEQA Thresholds Guide ("Thresholds Guide") is whether the construction activities would exceed the ambient noise level by 5 dBA at a noise-sensitive use during non-construction hours (i.e., between the hours of 9:00 PM and 7:00 AM Monday through Friday, before 8:00 AM or after 6:00 PM on Saturday, or anytime on Sunday) or when construction activities last more than 10 days in a three-month period. It is highly unlikely that intermittently passing haul trucks would have the capability to substantially raise ambient noise levels by 5 dBA or greater at roadside sensitive receptors, especially as most receptors near the Project have non-sensitive ground floor commercial uses. However, for a conservative approach, it is assumed that the above-ground levels on some buildings have residential uses.

Based on projections for the Project, approximately 25,092 cubic yards (cy) of material would be excavated and removed from the Project Site over a 65-workday period during the excavation and grading phase. That equates to approximately 386 cy of material exported each workday, requiring 39 haul trucks per work day based on an anticipated haul truck capacity of 10 cy each. Thus, up to 39 daily haul truck trips (20 inbound, 19 outbound) are forecasted to occur during the excavation and grading period, with approximately eight trips per hour (four inbound, four outbound) uniformly over a typical five-hour workday. Any marginal increase in noise levels is likely to be unnoticeable (i.e., below 3 dBA) because the estimated number of haul trucks per hour (eight) and a conservative daily total of 265 worker trips represents 0.3 percent of the future estimated total for a peak hour along 5th Street in the direction of SR-110. As a comparison, the Project-only traffic in this direction (more-impactful 62 PM trips) equated to a 0.1 dBA increase as shown in Table IV.H-11 of the Draft EIR. As a result, the Project's impact from off-site construction noise sources is less than significant.

(ii) On-Site Operation

The development would produce noise from on-site sources. LAMC Section 112.02 would regulate noise from mechanical sources, such as heating, air conditioning, and ventilation systems, as well as noise from pool pumps and filtering equipment. LAMC Section 112.01 would regulate any noise from amplified noises (e.g., ambient music, events) in the outdoor dining and bar areas, community open spaces, and/or recreational areas (i.e. pool areas, patios, etc.). Compliance with these regulations would ensure that the Project's on-site operational noise sources would not generate noise levels in excess of standards established by any noise ordinance or other set of regulations. In addition to the conservative quantitative analysis, the Project would comply with the following regulation: No music, sound or noise shall be emitted from the Project's restaurant/bar uses and hotel uses at a level prohibited by the LAMC noise regulations. Amplified recorded-music shall be in compliance with Section 116.01 of the LAMC, including any loud, unnecessary or unusual noise that disturbs the peace or quiet of any neighborhood or that causes discomfort. Therefore, impacts of on-site operational noise sources are less than significant.

(iii) Off-Site Operation

The majority of the Project's operational noise impacts would be from off-site mobile sources associated with its net new daily trips. Under the Thresholds Guide, the Project would normally have a significant impact as to off-site operational impacts if the Project causes ambient noise levels measured at the property line of affected noise-sensitive uses to increase by 3 dBA in CNEL to or within the "normally unacceptable" or "clearly unacceptable" category or to increase

by 5dBA in CNEL or greater regardless of category. On a typical weekday, the Project is forecast to generate an estimated 2,809 net new daily trips, including 122 AM peak hour trips and 226 PM peak hour trips.

The Project's noise impact related to vehicle trips was analyzed using the Federal Highway Administration's Traffic Noise Model 2.5. This noise prediction software uses traffic volumes, vehicle mix, average speeds, roadway geometry, and other inputs to calculate average noise levels along inputted roadway segments. For the analysis, an existing year (2017) without project scenario was compared to an existing year with project scenario. As shown in Table IV.H-10 of the Draft EIR, Project traffic would individually have a negligible impact on roadside ambient noise levels in the Project's vicinity. The 24-hour CNEL impacts of this option would similarly be minimal, far below the Thresholds Guide criteria for significant operational noise impacts, which begin at 3 dBA. Therefore, noise impacts related to vehicle trips are less than significant.

The majority of the Project's long-term noise impacts would come from traffic traveling to and from the Project Site. The addition of future traffic from any new developments in the Project area and overall ambient traffic growth would elevate ambient noise levels surrounding local roadways. As shown in Table IV.H-11 of the Draft EIR, some future noise increases could exceed 3 dBA during both the AM and PM peak hours. However, this would not correlate with a 3-dBA increase in 24-hour CNEL (as the increase would occur during peak hours only), the metric by which the Thresholds Guide determines a significant off-site operational impact.

The analysis also includes an evaluation of potential composite noise level increases (i.e., all operational noise sources) associated with the Project. As the outdoor operational noise level increase would be localized in nature, this analysis focuses on the potential noise level increases at the adjacent noise sensitive receptors (Metropolitan Residences), as noise at the other receptors would be less due to attenuation with distance, intervening barriers (on-site proposed structure), trees and vegetation, and other off-site structures. The existing ambient noise level of this receptor is 71.8 dBA Leq. With the addition of parking garage-related noise, the composite noise level at this receptor would be 72.5 dBA Leq, an increase of only 0.7 dBA The Project would not have the potential to cause any 3-dBA, 5-dBA, or greater noise increase. As such, composite operational noise impacts are less than significant.

2. Groundborne Vibration and Noise

(i) Operation

During Project operation there would be no significant stationary sources of ground-borne vibration, such as heavy equipment or industrial operations. Minimal levels of operational ground-borne vibration in the Project's vicinity would be generated by its related vehicle travel on local roadways. However, most vibration from road vehicles are below 65 VdB and imperceptible. Therefore, the Project would not result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels, and the Project's long-term vibration impacts are less than significant.

3. Permanent Ambient Noise Levels

The Project's potential to result in substantial permanent increases in ambient noise levels is assessed above, under the analyses of noise impacts associated with on-site and off-site operational noise sources. As discussed, operational noise levels would not exceed the significance thresholds recommended by the City in its Thresholds Guide. Therefore, the Project would not result in a substantial permanent increase in ambient noise levels in the Project vicinity above existing levels, and noise impacts are less than significant.

4. Cumulative Impacts

(i) Off-Site Construction Noise

Off-site cumulative construction noise impacts could occur if haul trucks for the Project and related projects were to utilize the same roadways on their respective haul routes. However, as discussed in Section IV.H.1, of the Draft EIR, roadways in the vicinity of the Project have elevated noise levels from traffic, both from automobiles and trucks. Additionally, there are few roadside sensitive receptors, especially as most receptors near the Project Site have non-sensitive ground floor commercial uses. The second floor receptors in the area (residential) would not experience an increase in noise beyond the elevated noise levels already experienced due to the traffic and because the construction-related traffic would be less than the traffic generated during operation. As shown in Table IV.H-15 of the Draft EIR, some cumulative noise increases could exceed 3 dBA during both the AM and PM peak hours. However, this would not correlate with a 3-dBA increase in 24-hour CNEL or a 5-dBA increase at any time, the metrics by which the Thresholds Guide determines a significant impact for noise levels for off-site construction noise impacts. Therefore, the Project would not contribute to a cumulatively considerable off-site construction noise impact and impacts are less than significant.

(ii) On-Site Operation Noise

The Project's potential to individually result in a significant on-site operational noise impact at nearby receptors is analyzed above. Noise from sources, such as mechanical HVAC equipment and pool filtration systems, is typically not audible far beyond the property line of their origin. As the nearest related projects are located over 250 feet from the Project Site, it is highly unlikely that any on-site operational noise sources would be simultaneously audible at any shared receptor, especially given the elevated ambient noise levels in the Project vicinity. Therefore, the Project would not contribute to a cumulatively considerable on-site operational noise impact and impacts are less than significant.

(iii) Off-Site Operation Noise

The Project's permanent off-site operational noise impact attributable to mobile sources is analyzed in in Section IV.H.1, of the Draft EIR. As shown in Table IV.H-15, some cumulative noise increases could exceed 3 dBA during both the AM and PM peak hours. However, this would not correlate with a 3-dBA increase in 24-hour CNEL, the metric by which the Thresholds Guide determines a significant impact. For example, northbound and southbound Hill Street, south of 5th Street, are projected to experience cumulative ambient noise increases in excess of 3 dBA during the future AM peak hour. However, during the PM peak hour, noise increases along these roadways would be less than 1.5 dBA. Noise level increases during periods of lower traffic, such as late evening or early morning hours, would be further reduced. As a result, the overall 24-hour CNEL impact along these roadways would not exceed 3 dBA, and the impact would be considered less than significant. The same applies to 5th Street, east and west of Hill Street. Though this roadway is projected to experience cumulative ambient noise increases in excess of 3 dBA during the future PM peak hour, the projected future AM peak hour increase would be below 1 dBA, and the total impact on 24-hour CNEL would not exceed 3 dBA. In addition, the table shows that the Project-only change (the difference between the No Project (2023) and the With Project (2023) estimated dBA would be minimal, ranging from no change to 0.1 dBA increase. Therefore, the Project would not contribute to a cumulative considerable offsite operational noise impact, and the Project's cumulative operational noise impact are less than significant.

(iv) Operation Vibration

As discussed above in Section IV.H.2, the Project would not contain any substantial stationary, on-site sources of groundborne vibration. Typically, on-site sources of groundborne vibration are

associated with industrial processes or equipment. The Project would generate minimal levels of off-site groundborne vibration from its related traffic. However, groundborne vibration from passenger vehicles is typically below levels of perception. Due to the rapid attenuation characteristics of groundborne vibration and distance from each of the related projects to the Project Site, there would be no potential for cumulative operational-period impacts that would be generated by the related projects with respect to groundborne vibration. The Project would have a negligible operational vibration impact. Therefore, the Project would not contribute to a cumulatively considerable operational vibration impact and impacts are less than significant.

5. Project Design Features

The City finds that Project Design Features NOI-PDF-1 through NOI-PDF-3, which are incorporated into the Project and are incorporated into these Findings as though fully set forth herein, reduce the potential impacts of the Project related to noise and vibration. These Project Design Features were taken into account in the analysis of potential impacts.

10. Population, Housing, and Employment

1. Induce Substantial Population Growth

(i) Construction

Due to the employment patterns of construction workers in the region, and the operation of the market for construction labor, construction workers are not likely to relocate their households as a consequence of the construction job opportunities presented by the Project. The construction industry differs from most other industry sectors in several ways that are relevant to potential impacts on housing, including (1) there is no regular place of work; (2) many construction workers are highly specialized and move from job site to job site as dictated by the demand for their skills; and (3) the work requirements of most construction projects are highly specialized and workers are employed on a job site as long as their skills are needed to complete a particular phase of the construction process. It is reasonable to assume that Project-related construction workers would not relocate their households' places of residence as a direct consequence of working on the Project. Project development would generate construction workers on-site during the grading and excavation, and building construction and finishing phases. However, individual construction projects generally do not generate new employment within the region. Rather, there is a pool of construction workers who move from project to project as work is available. Thus, construction of the Project would not directly and/or indirectly result in substantial population, housing, and/or employment growth in the area and impacts are less than significant.

(ii) Operation

Under the more impactful scenario of Option B, operation of the Project would generate approximately 76 residents. As shown in Table IV.I-3 of the Draft EIR, based on SCAG's 2016–2040 RTP/SCS, the population generated by the Project (would represent approximately 0.24 percent of the projected growth in the City of Los Angeles between 2017 and 2023 (i.e., the Project's baseline and buildout years). As such, the new residents constitute a small percentage of City growth. Therefore, Project impacts related to population growth are less than significant.

Employee generation is shown in Table IV.I-4 of the Draft EIR. It is estimated that the Project would generate approximately 272 employees. As shown in Table IV.I-3, based on SCAG's 2016–2040 RTP/SCS, the employees generated by the Project would represent approximately 0.27 percent of the projected growth in the City of Los Angeles between 2017 and 2023 (i.e., the Project's baseline and buildout years). Therefore, Project-related employment generation would be consistent with SCAG's employment forecasts for the City of Los Angeles and impacts relating to employees are less than significant.

2. Cumulative Impacts

Similar to the Project, construction workers of related projects would not be expected to relocate residences within this region or move from other regions. Given the temporary nature of the construction activity, the mobility of construction workers and availability of a labor pool to draw on, construction workers would not be expected to have notable impact on the demand for housing or affect general housing occupancy and population patterns. Construction of the Project would not result in a cumulatively considerable impact on population growth, housing, and employment.

The Project and related projects are located in SCAG's City of Los Angeles Subregion. Implementation of the Project, in conjunction with the related projects identified in Section III of the Draft EIR, Environmental Setting, would increase the number of housing units, residents, and employees in the area, compared to existing conditions.

Population generation is shown in Table IV.I-5 of the Draft EIR, Related Projects Estimated Population Generation. Under the more impactful scenario of Option B plus related projects, it is estimated that the total cumulative growth (Project) would generate approximately 121,930 persons from 50,177 total units (Project + related projects). The Project represents 0.33 percent of the total persons and units. As shown in Table IV.I-6 of the Draft EIR, based on SCAG's 2016–2040 RTP/SCS, the population generated by the total cumulative growth would represent approximately 74 percent of the projected growth in the City of Los Angeles between 2017 and 2023 (i.e., the Project's baseline and buildout years, respectively). However, the population growth due to the Project would represent only 0.33 percent of the cumulative total. Accordingly, the Project's contribution would not be considered cumulatively considerable and cumulative impacts are less than significant.

Employee generation is shown in Table IV.I-7 of the Draft EIR, Related Projects Estimated Employee Generation. It is estimated that the total cumulative growth in employment would generate approximately 99,417 employees. As shown in Table IV.I-6, based on SCAG's 2016–2040 RTP/SCS, the employment generated by the total cumulative growth would represent approximately 98 percent of the projected growth in the City of Los Angeles between 2017 and 2023 (i.e., the Project's baseline and buildout years, respectively). These new jobs would increase the number of transit-adjacent workplaces, which would support the policies intended to reduce VMT. The Project's contribution of 0.27 percent of the cumulative total would not represent a considerable percentage of the estimated employment growth in the City of Los Angeles and, as such, its cumulative employment impacts would be cumulatively considerable and impacts are less than significant.

3. Project Design Features

The City finds that no specific Project Design Features are incorporated into the Project to reduce its potential impacts to population, housing, and employment.

11. Public Services Fire

1. Fire Protection

(i) Construction

Construction activities associated with the Project may temporarily increase demand for fire protection and emergency medical service ("EMS") incidents. During grading and construction, access to the Project Site, including emergency access points, would be marked and maintained and remain clear and unobstructed. Emergency vehicle access to the Project Site is provided via local roadways. There is an existing curb cut and driveway on Hill Street. There is no existing curb

cut on 5th Street, but an emergency vehicle could park along 5th Street, adjacent to this portion of the Project Site.

Project construction would require limited exposure to combustible materials, such as wood, plastics, sawdust, coverings and coatings and to heat sources including machinery and equipment sparking, exposed electrical lines, welding activities, and chemical reactions in combustible materials and coatings. While fires and medical emergencies can occur on construction sites, compliance with the California Division of Occupational Safety and Health (Cal/OSHA) and Fire and Building Code requirements would minimize the risk of fire and medical emergencies. Project construction would also occur in compliance with all applicable federal, state, and local requirements concerning the handling, disposal, use, storage, and management of hazardous materials. Thus, compliance with regulatory requirements would effectively reduce the potential for project construction activities to expose people to the risk of fire or explosion related to hazardous materials and nonhazardous combustible materials.

Project construction could also potentially impact the provision of services from the Los Angeles Fire Department (LAFD) in the Project vicinity as a result of construction impacts to the surrounding roadways. While construction activities would primarily be contained within the boundaries of the Project Site, access to the Project Site and the surrounding vicinity could be impacted by temporary lane closures, roadway/access improvements, and the construction of utility line connections. Construction activities also would generate traffic associated with the movement of construction equipment, the hauling of soil and construction materials to and from the Project Site, and construction worker traffic. Construction delivery/haul trucks would generally travel along 5th Street and use the on-ramp to SR-110 freeway. Thus, although construction activities would be short-term for the area, Project construction activities could temporarily affect emergency response for emergency vehicles due to increased traffic and lane closures on immediately adjacent streets during the Project's construction phase. However, given the permitted hours of construction and nature of construction projects, daily construction trips would typically be completed prior to the PM peak hours. With implementation of the Project Design Feature TRANS-PDF-1 (Construction Management Plan) (see Section 4.K, Transportation/Traffic, of the Draft EIR), construction truck trips would not cause significant impacts during the AM peak and PM peak hours for peak construction truck activity and to emergency vehicles. In addition, TRANS-PDF-1 would ensure that adequate and safe access remains available within and near the Project Site during construction activities.

Appropriate construction traffic control measures (e.g., detour signage, delineators, etc.) would also be implemented, as necessary, to ensure emergency access to the Project Site is kept unobstructed at all times, and traffic flow is maintained on adjacent rights-of-way. Furthermore, the drivers of emergency vehicles normally have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic, pursuant to California Vehicle Code Section 21806. Moreover, although the EMS average response times listed in Table IV.J.1-2 of the Draft EIR for LAFD fire stations in the Project vicinity, excluding Fire Station No. 9 does not meet the National Fire Protection Agency ("NFPA") response time standards, LAFD has not formally adopted the NFPA standards and the current average response times are not considered deficient.

Based on the above, construction of the Project would not impact LAFD services to the extent that there would be a need for new or expanded fire facilities in order to maintain LAFD's capability to serve the Project Site. Therefore, fire protection and emergency service impacts associated with construction of the Project are less than significant.

(ii) Operation

Project development would introduce population, employees, and visitors to the Project Site and result in an increase in demand for fire protection and EMS. The proposed uses are expected to

create fire service calls similar to other mixed-use buildings. The analysis of the Project's potential operational impacts on fire protection and emergency medication services addresses potential impacts associated with LAFD facilities and equipment, response distances, access, and the ability of the fire water infrastructure system to provide the necessary fire flows. Project operation would not require the addition of a new fire station or the expansion, consolidation, or relocation of an existing facility, the construction of which would cause significant environmental effects in order to maintain acceptable levels of service. Impacts to fire protection during Project operation are less than significant.

2. Facilities and Equipment

The Project Site would be served by Fire Station No. 9, the first-in station for the Project Site. In addition, Fire Station Nos. 3, 10, 10, 4, and 17 would continue to be available to serve the Project Site in the event of an emergency. The Project would include the development of new mixed-use residential and commercial development, which would generate a new residential population in the service area of Fire Station No. 9. Under the more impactful scenario of Option B, the Project would generate approximately 389 residents. In addition, the Project would generate approximately 272 employees. Therefore, the Project's population would increase the demand for LAFD fire protection services.

The Project would implement Los Angeles Building and Fire Code requirements, including, but not limited to, structural design, building materials, site access, clearances, hydrants, fire flow, storage and management of hazardous materials, alarm and communications systems, and building sprinkler systems. Compliance with applicable City Building Code and Fire Code requirements would be demonstrated as part of LAFD's fire/life safety plan review and LAFD's fire/life safety inspection for new construction projects, as set forth in Section 57.118 of the LAMC, prior to the issuance of a building permit. In addition, as described above, the Project, as a high-rise structure, is required by the Section 57.4705.4 of the LAMC to provide an Emergency Helicopter Landing Facility ("EHLF"), as described in Subsection 2.a.(3)(e), or to implement one of two options to forgo an EHLF. The Project would provide all applicable life safety features, including automatic fire sprinklers, a video camera surveillance system, egress stairways, fire service access elevators, stairways with roof access, enclosed elevator lobbies, and escalator openings or stairways. As such, compliance with applicable regulatory requirements that are enforced through the City's building permitting process would ensure that adequate fire prevention features would be provided that would reduce the demand on LAFD facilities and equipment. Impacts with regard to LAFD facilities and equipment are less than significant.

3. Response Distance, Fire Flow, and Emergency Access

The Project Site is located within the distance specified by Table 507.3.3 of the 2014 Fire Code. Station No. 9 is within one mile away and contains a Task Force (truck company and engine company) and an ambulance. Thus, the Project Site complies with the Fire Code's response distances. The Project is within the maximum response distance of a fire station with adequate equipment. There are also additional fire stations located nearby. In addition, as a high-rise the structure is required to be equipped with sprinklers regardless of distance. As such, impacts related to response distance are less than significant.

Domestic and fire water service to the Project Site would be supplied by LADWP. Section 57.507.3 of the LAMC establishes fire flow standards by development type. According to the LAFD, the Project falls within the Industrial and Commercial land use category and is required by the LAMC to provide a fire flow of 6,000 to 9,000 gallons per minute ("gpm") from four to six hydrants flowing simultaneously. Additionally, hydrants must be spaced to provide adequate coverage of the building exterior and must deliver a minimum pressure of 20 pounds per square inch ("psi") at full flow. The Project Site is not located within an Inadequate Fire Hydrant Service

Area as defined by the City. The following fire hydrants are the nearest to the Project Site:

- Hydrant (ID 9543, size 4D, 12-inch main) on northeast corner of Hill Street and 5th Street.
- Hydrant (ID 9550, size 4D, 12-inch main) on south side of 5th Street, across from the Project Site.
- Hydrant (ID 16160, size 4D, 12-inch main) on southeast corner of 5th Street and Hill Street.
- Hydrant (ID 9542, size 4D, 12-inch main) on northwest corner of Hill Street and 5th Street.

The Project would be required to install additional hydrant(s) to meet LAFD fire flow requirements. As such, the Project Applicant will coordinate with LADWP to install necessary improvements to the off-site fire water system in accordance with City standards. With construction of the proposed fire water system improvements (connections to the existing water mains) and the installation of an additional fire hydrant(s) within the public right-of-way, the Project would meet the fire flow requirements set forth in Section 57.507.3.1 of the LAMC. Therefore, impacts with regard to fire flow are less than significant.

The area surrounding the Project Site includes an established street system, consisting of freeways, primary and secondary arterials, and collector and local streets, which provide regional, sub-regional, and local access and circulation within the Project's traffic study area. Based on the Project Site's location within a highly urbanized area of the City, the streets surrounding the Project Site were designed as standard streets in terms of pavement width and thickness, curb and gutter, and horizontal and vertical curvature. Therefore, the street system surrounding the Project Site is not considered substandard. Operation of the Project would not include the installation of barriers (e.g., perimeter fencing, fixed bollards, etc.) that could impede emergency vehicle access within and in the vicinity of the Project Site. Additionally, drivers of emergency vehicles have a variety of options for avoiding traffic, such as using sirens and flashing lights to clear a path of travel, pursuant to Section 21806 of the California Vehicle Code. As such, emergency access to the Project Site and surrounding uses would be maintained at all times, and the increase in traffic generated by the Project would not significantly impact emergency vehicle response to the Project Site and surrounding uses, including along City-designated disaster routes.

The Project Applicant would submit an emergency response plan for the LAFD to review that would include, but not be limited to, the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments. Furthermore, the Project's driveway and internal circulation would be designed to incorporate all applicable City Building Code and Fire Code requirements regarding site access, including providing adequate emergency vehicle access. Compliance with applicable City Building Code and Fire Code requirements, including emergency vehicle access, would be demonstrated as part of LAFD's fire/life safety plan review and LAFD's fire/life safety inspection for new construction projects, as set forth in Section 57.118 of the LAMC, and which are required prior to the issuance of a building permit.

Project operation would not substantially impede public access or travel on public rights-of-way, such as 5th Street and Hill Street, and would not interfere with any adopted emergency response plan or emergency evacuation plan. The nearest disaster routes include Figueroa Street approximately 0.4 mile northwest of the Project Site, San Pedro Street approximately 0.7 mile southeast of the Project Site, and 1st Street approximately 0.7 mile northeast of the Project Site. Disaster routes function as primary thoroughfares for movement of emergency response traffic and access to critical facilities. Immediate emergency debris clearance and road/bridge repairs for short-term emergency operations would be emphasized along these routes. The Project would not impede these routes. Emergency access would be maintained at all times and emergency vehicle access to the Project Site would continue to be provided from local and major roadways near the Project Site. The future traffic conditions with the Project show that none of the study intersections would have a significant impact. Accordingly, Project-related vehicle trips are not

anticipated to impair the LAFD or EMS from responding to emergencies at the Project Site or the surrounding area. Thus, impacts to response distance, fire flow, and emergency access are less than significant.

4. Cumulative Impacts

The geographic context for the cumulative impact analysis for fire protection are the service areas of Fire Station Nos. 9, 3, 10, 4, and 17. The Project, in conjunction with growth forecasted in the City through 2023 (Project's buildout year), would cumulatively generate a demand for fire protection service, thus potentially resulting in cumulative impacts on fire protection facilities. Cumulative growth in the greater Project area through 2023 includes specific known development projects and growth that may be projected as result of the land use designation contained in the Community Plan, as well as general ambient growth projected to occur. A number of the identified related projects and ambient growth projections fall within the service areas of Fire Station Nos. 9, 3, 10, 4, and 17. The increase in development and residential service populations from the Project, related projects, and other future development in the Community Plan area would result in a cumulative increase in the demand for LAFD services and could have a cumulative impact on fire services if the Project, together with other development in the service area, did not comply with LAFD requirements for design and construction. However, similar to the Project, the related projects would be reviewed by the LAFD on a project-by-project basis to ensure that sufficient fire safety and hazards measures are implemented to reduce potential impacts to fire protection. Furthermore, each related project would be required to comply with regulatory requirements related to fire protection and EMS. As discussed above, each related project and other future development that exceeds the maximum applicable LAMC response distance standards would be required to install automatic fire sprinkler systems in order to compensate for the additional response distance.

In addition, similar to the Project, each related project would be subject to the City's standard construction permitting process, which includes a review by LAFD for compliance with building and site design standards related to fire/life safety, as well as coordinating with LADWP to ensure that local fire flow infrastructure meets current code standards for the type and intensity of land uses involved. Given that the Project Site is located within an urban area, each of the related projects identified in the area would likewise be developed within urbanized locations that fall within an acceptable distance from one or more existing fire stations. The Project would also generate revenues to the City's General Fund (in the form of property taxes, sales revenue, etc.) that could be applied toward the provision of new fire station facilities and related staffing, as deemed appropriate.

With regard to cumulative impacts on fire protection, the obligation to provide adequate fire protection and EMS is the responsibility of the City. Through the City's regular budgeting efforts, LAFD's resource needs, including staffing, equipment, trucks and engines, ambulances, other special apparatuses and possibly station expansions or new station construction, would be identified and allocated according to the priorities at the time. At this time, LAFD has not identified that it will be constructing a new station in the area impacted by this Project either because of this Project or other projects in the service area. As such, the Project would not cumulatively contribute to impacts and impacts are less than significant.

5. Project Design Features

The City finds that Project Design Feature TRANS-PDF-1, as described above, and which is incorporated into the Project and is incorporated into these Findings as though fully set forth herein, reduce the potential impacts of the Project related to fire protection. This Project Design Features is taken into account in the analysis of potential impacts.

12. Public Services Police

1. Police Projection

(i) Construction

When not properly secured, construction sites can contribute to a temporary increased demand for police protection services. Precautions to prevent trespassing through construction sites often include temporary fencing around the perimeter of the site. Pursuant to Project Design Feature PUB-PDF-1, temporary fencing will be installed to prevent public entry and theft. This would ensure that valuable materials (e.g., building supplies) and construction equipment are not easily stolen or vandalized. Project construction activities could also potentially impact the Los Angeles Police Department (LAPD) services within the Central Area due to construction impacts on the surrounding roadways. Lane closures and construction-related traffic (e.g., truck deliveries and construction worker vehicles) could cause traffic delays and impact police response times in the Project area. Pursuant to TRANS-PDF-1, a Construction Management Plan would be implemented during construction of the Project. (See Section 4.K, Transportation/Traffic, of the Draft EIR for details of the Construction Management Plan.) The Construction Management Plan would consider the nature and timing of specific construction activities and other projects in the vicinity, as well as disclose lane closure information, detour plans, truck routes, and staging plans, and identify specific actions that would reduce the effects from construction of the Project on the surrounding community. In addition, emergency response vehicles normally have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic pursuant to Section 21806 of the California Vehicle Code.

Based on the above, upon implementation of the Project Design Features and compliance with State law, construction activities associated with the Project would not generate a demand for additional police protection services that would substantially exceed the capability of the LAPD to serve the Project Site or cause a substantial impact to LAPD access as a result of increased traffic congestion. Construction of the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain LAPD's capability to serve the Project Site. As such, construction impacts are less than significant.

(ii) Operational

Operation of the Project would introduce population, employees, and visitors to the Project Site and increase the police service population of the Central Area. Although LAPD does not maintain minimum officer-to-population ratio objectives, this information is a useful metric for gauging the impact a project may have on service levels and response times. The existing officer-to-resident ratio for the Central Area is one officer per 108 residents. As analyzed under the more impactful scenario of Option B, to maintain the existing ratio with the addition of 389 new residents, four additional officers would be needed. The Central Area has approximately 370 sworn police officers. This would represent a net change of approximately one percent, which would be considered minimal. Therefore, the Project would not represent a significant change in the officer-to-resident ratio for the Central Area. Consequently, with the demand for four additional officers to maintain current resident service ratios, the Project would not require the expansion, consolidation, or relocation of the Station.

As indicated in Table IV.J.2-1 of the Draft EIR, the most common crimes in the Central Area are "Burglary from Vehicles" and "Personal/Other Theft." With implementation of PUB-PDF-2, the Project will provide on-site security measures including defensible space, natural surveillance (visibility from streets and sidewalks), perimeter lighting, and natural access control (landscaping

buffers and other distinctions between public and private spaces). The implementation of these design features would reduce the probability of a crime occurring during operation of the Project and the need for police protection. The Project would include standard security features, such as adequate security lighting, secure key access to residential uses, secure access to hotel rooms, security cameras, and front desk that offers a visual deterrent and human surveillance feature. Parking would be provided within the building on below- and above-grade levels with secure access (valet personnel would operate vehicles to an elevator which would lift the vehicle to the appropriate parking level and the vehicle would be driven to an available space). LAPD requires that the commanding officer of the Central Area be provided a diagram of each portion of the property showing access routes, and any additional information that might facilitate police response. This is formally included as PUB-PDF-3. In addition to the implementation of these project design features, the Project would generate revenues to the City's General Fund (in the form of property taxes, sales revenue, etc.) that could be applied toward the provision of new police facilities and related staffing in the community, as deemed appropriate.

With regard to Project impacts on police protection, the obligation to provide adequate public safety services, including police protection, is the responsibility of the City. Through the City's regular budgeting efforts, LAPD's resource needs, including staffing and possibly station expansions or new station construction, would be identified and allocated according to the priorities at the time. Operation of the Project would not require the provision of new or physically altered police stations in order to maintain acceptable service ratios or other performance objectives for police protection. Operation of the Project would increase the number of employees, guests, and residents in the Project area. However, with the provision of on-site security features, coordination with LAPD, and incorporation of crime prevention features, impacts are less than significant.

2. Cumulative Impacts

In general, impacts to LAPD services and facilities during the construction of each related project would be addressed as part of each related project's development review process conducted by the City. Similar to the Project, each related project would also be subject to the City's routine construction permitting process, which includes a review by the LAPD to ensure that sufficient security measures are implemented to reduce potential impacts to police protection services. Similar to the Project, each related project would also be subject to the City's routine construction permitting process, which includes a review by the LAPD to ensure that sufficient security measures are implemented to reduce potential impacts to police protection services. Construction-related traffic generated by the Project and the related projects would not significantly affect LAPD response within the Project vicinity as drivers of police vehicles normally have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic. Therefore, the Project would not cumulatively contribute to impacts regarding police protection or emergency services during construction, and impacts are less than significant.

Similar to the Project, related projects would contribute to funding police protection services in the area by generating annual revenue from property taxes that would be deposited into the City's General Fund, which could potentially be used to fund the construction of future police facilities and support hiring more police officers. Through this process, the ability of the LAPD to provide adequate facilities to accommodate future growth and maintain acceptable levels of service would be ensured. On this basis, it is anticipated that potential impacts to police protection would not be cumulatively considerable. Furthermore, the increased demands for additional LAPD staffing, equipment, and facilities would be funded via existing mechanisms (e.g., property taxes and government funding) to which both the Project and the cumulative projects would contribute. Currently, the LAPD has no known or proposed plans to expand police facilities or construct new

facilities within its Central Area. If a new police station, or the expansion, consolidation, or relocation of an existing station were determined to be warranted by LAPD, the Downtown area is highly developed, and the site of a police station would foreseeably be an infill lot less than an acre in size, which would meet the requirements for the use of a Class 32 Categorical Infill Exemption (CEQA Guidelines 15332). Development of a station at this scale is unlikely to result in significant impacts, and projects involving the construction or expansion of a police station would be addressed independently pursuant to CEQA.

With regard to emergency response, similar to the Project, related projects area would introduce new uses that would generate additional traffic in the vicinity of the Project Site. As discussed above, the Project is not anticipated to substantially affect existing emergency response in the Central Area, and the Project would not contribute to a cumulative impact regarding response. With regard to cumulative impacts on police protection, the obligation to provide adequate public safety services, including police protection, is the responsibility of the City. Through the City's regular budgeting efforts, LAPD's resource needs, including staffing and possibly station expansions or new station construction, would be identified and allocated according to the priorities at the time.

At this time, LAFD has not identified that it will be constructing a new station in the area impacted by this Project either because this Project or this Project and other projects in the service area. Based on the above, the Project's contribution to cumulative operational impacts to police protection services would not be cumulatively considerable. The Project would not result in cumulative adverse impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain LAPD's capability to serve the Project Site. As the Project would not result in a substantial incremental contribution to the cumulative demand for police protection services and cumulative impacts are less than significant.

3. Project Design Features

The City finds that Project Design Features TRANS-PDF-1 and PUB-PDF- 1 through PUB-PDF-3, as described above, and which are incorporated into the Project and into these Findings as though fully set forth herein, further reduce the less than significant impacts of the Project related to police protection services. These Project Design Features are taken into account in the analysis of potential impacts.

13. Public Services Schools

1. Schools Capacity

(i) Construction

Due to the employment patterns of construction workers and the operation of the market for construction labor, construction workers are not anticipated to relocate their households (with student-age children) to the Project area and, thus, would not impact existing school facilities. As the construction of the Project would not result in a notable increase in the resident population or a corresponding demand for schools in the vicinity of the Project Site, impacts to school facilities during construction are less than significant.

(ii) Operational

Under the more impactful Option B, and as shown in Table IV.J.3-3 of the Draft EIR, Estimated Student Generation, the Project is expected to generate approximately 80 students. Although it

is possible that some of the school aged residents are currently already attending a Los Angeles Unified School District (LAUSD) school near the Project Site, and/or other schools in the vicinity due to LAUSD's open enrollment policy, to provide a conservative analysis, it is assumed that the total number of students generated by the Project are not currently enrolled in a LAUSD school near the Project Site and would enroll in one of the LAUSD schools discussed below. The Project buildout year is projected to be 2023. LAUSD projects student attendance totals for each school in five-year increments. LAUSD does not provide any projections beyond this timeframe.

As shown in Table IV.J.3-4, and based on existing enrollment and capacity data from LAUSD, impacts to LAUSD Schools would occur at Liechty Middle School and Belmont High School Zone of Choice. In considering projected future capacity data from LAUSD, 9th Street Elementary School, Liechty Middle School, and Belmont High School Zone of Choice would not have adequate capacity to accommodate the new students generated by the Project under projected future conditions. At 9th Street Elementary School, there would be a shortage of 21 seats (i.e., future excess capacity of 22 seats in addition to the Project-generated 43 students). At Liechty Middle School, there would be a shortage of 583 seats (i.e., the future shortage of 571 seats in addition to the Project-generated 12 students). At Belmont High School Zone of Choice, there would be a shortage of 72 seats (i.e., the future shortage of 47 seats in addition to the Project-generated shortage of 25 students).

The number of Project-generated students that would actually attend the LAUSD schools serving the Project Site may be less than the students calculated since the analysis does not take into account options to allow Project-generated students to receive education elsewhere. Pursuant to Senate Bill 50, the Project Applicant would be required to pay development fees for schools to the LAUSD prior to the issuance of the Project's building permit. Pursuant to Government Code Section 65995, the payment of these fees is considered full and complete mitigation of Project-related school impacts. Therefore, payment of the applicable development school fees to the LAUSD would offset the potential impact of additional student enrollment at schools serving the Project Site. With adherence to existing regulations, impacts on schools are less than significant.

2. Cumulative Impacts

It is anticipated that demands for educational facilities in the Project area would increase above current levels upon buildout of the Project and related projects. The increase in the number of students generated by residents and employees in the Project area, as a result of the Project and cumulative projects, could result in cumulative impacts on existing schools facilities. LAUSD's facility planning assumptions are based on overall demographic trends and are intended to address changes in student enrollment arising from area population trends from various sources, including new development. Implementation of the Project in conjunction with the related projects would generate students based on an increase in dwelling units and non-residential uses (employees' students). As described in Section IV.I, Population and Housing, of the Draft EIR, the related projects would generate approximately 121,541 residents and 50,017 housing units (see Table IV.I-5 of the Draft EIR). The related projects would generate approximately 99,145 employees (see Table IV.I-7 of the Draft EIR). All of the related projects would be served by LAUSD schools. As shown in Table IV.J.3-5 of the Draft EIR, Estimated Cumulative Student Generation, it is estimated that the cumulative growth (Project + related projects) would generate approximately 43,194 students.

In addition to the schools identified above that would serve the Project Site and immediate area, the following additional LAUSD schools would serve the related projects:

- Elementary Schools (K-5): Los Angeles EEC, 10th Street, Olympic PC, Huerta, 28th Street, 20th Street, 2nd Street, Ann Street;
- Middle Schools (6-8): Adams, Castro, Nava; and
- High Schools (9-12): Metropolitan, Mendez, Santee.

Students could enroll in a private school, a LAUSD charter or magnet school located in the area, and/or participate in the LAUSD's open enrollment policy. As with the Project, the cumulative projects would be required to pay the appropriate school fees per SB 50, which would mitigate impacts to public schools. In accordance with CEQA Guidelines Section 15130(a)(3), a project's contribution to cumulative impacts is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure designed to alleviate the cumulative impact. Under State law, payment of school fees is deemed to provide full and complete mitigation of school facilities impacts. The Project would not result in a cumulatively considerable impact to schools and cumulative impacts with regard to schools will be less than significant.

3. Project Design Features

The City finds that no specific Project Design Features are incorporated into the Project to reduce its potential impacts to schools

14. Recreation

1. Adverse Impacts

In determining the Project's potential impacts to parks and recreational facilities, the analysis evaluates the potential demand of Project residents for public parks and recreational facilities, as well as the Project's consistency with applicable plans, policies, and regulations related to parks and recreational facilities. Due to the amount, variety, and availability of the Project's proposed open space and recreational amenities, it is anticipated that Project residents would generally utilize on-site open space to meet their recreational needs. The Project would meet the applicable requirements set forth in LAMC Section 12.21, pay a Dwelling Unit Construction Tax in accordance with LAMC Section 21.10.3(a)(1), and comply with the requirements of LAMC Section 17.12 regarding payment of Quimby fees. The payment of fees would avoid any potential impacts on parks, consistent with the purpose of the Quimby Act and related local fee ordinances. Further, implementation of regulatory requirements would ensure that the intent of the Public Recreation Plan's parkland standards would be addressed through compliance with applicable LAMC requirements related to the provision and/or funding of parks and recreational spaces. As such, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks. Therefore, adverse impacts to existing recreation facilities are less than significant.

2. Substantial Physical Deterioration of Existing Facilities

(i) Construction

Construction workers associated with the Project would not result in a notable increase in the residential population of the Project vicinity, or a corresponding permanent demand for parks and recreational facilities in the vicinity of the Project Site. During Project construction, the use of public parks and recreational facilities by construction workers would be expected to be limited, as construction workers are highly transient in their work locations and are more likely to utilize parks and recreational facilities near their places of residence. There is a potential for construction workers to spend their lunch breaks at the parks and recreational facilities near the Project Site, specifically Pershing Square Park across the Project Site on 5th Street. However, any resulting increase in the use of such parks and recreational facilities would be negligible.

Project construction would not generate a demand for park or recreational facilities that cannot be adequately accommodated by existing or planned facilities and services. Project construction would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, impacts on parks and recreational facilities during Project construction are less than significant.

(ii) Operation

Operation of the Project would generate additional demand for parks and recreational facilities. The Project would provide a total of 7,741 square feet of open space and recreational amenities (as compared to the required 4,900 square feet) and would comply with the LAMC requirements. Recreational spaces include indoor common space and outdoor common space. Due to the amount, variety, and availability of the proposed open space and recreational amenities, it is anticipated that Project residents would generally utilize on-site open space to meet their recreational needs. Under the most impactful Option B, the Project's estimated 389 new residents would be expected to utilize off-site public parks and recreational facilities to some degree; however, the Project would not be expected to cause or accelerate substantial physical deterioration of off-site public parks or recreational facilities given the provision of on-site open space and recreational amenities. Similarly, the Project's commercial component could result in a negligible indirect demand for parks and recreational facilities. However, it is anticipated that Project employees would also primarily utilize on-site open space during their time spent at the Project, resulting in a negligible demand for surrounding parks and recreational facilities. The Project would pay in-lieu parkland fees in accordance with Sections 17.12 and 12.33 of the LAMC and would not substantially increase the demand for off-site public parks and recreational facilities. Therefore, impacts are less than significant.

3. Cumulative Impacts

Development of the related projects could exacerbate the Community Plan area's deficiency in parkland per the Public Recreation Plan's guidelines. However, the payment of Quimby and other fees by the Project and related projects would avoid any potential impacts on parks by promoting the availability of park and open space areas in response to California's rapid urbanization and decrease in the number of parks and recreational facilities, consistent with the purpose of the Quimby Act and related local fee ordinances. Further, implementation of regulatory requirements for the Project and related projects would ensure that the intent of the Public Recreation Plan's parkland standards is addressed through compliance with applicable LAMC requirements related to the provision and/or funding of parks and recreational spaces. As with the Project, the related projects would undergo discretionary review on a case-by-case basis and would be expected to coordinate with the Los Angeles Department of Recreation and Parks. Future development projects would also be required to comply with the park and recreation requirements of Sections 12.21, 17.12, 12.33, and 21.10.3(a)(1) of the LAMC and the Park Fee Ordinance, as applicable. Therefore, the Project would not result in a cumulatively considerable impact to recreation facilities and cumulative impacts with regard to recreation facilities will be less than significant.

4. Project Design Features

The City finds that no specific Project Design Features are incorporated into the Project to reduce its potential impacts to recreation facilities.

15. Libraries

1. Library Facilities

(i) Construction

Construction of the Project would result in a temporary increase of construction workers on the Project Site. Construction workers are not likely to relocate their households as a consequence of Project construction and thus, Project-related construction workers would not result in a notable increase in the resident population within the service area of the libraries. Construction workers would likely utilize library facilities near their places of residence because lunch break times are typically not long enough for construction workers to take advantage of library facilities, eat lunch, and return to work within the allotted time. As such, construction of the Project would not exceed the capacity of local libraries to adequately serve the existing residential population based on target service populations or as defined by the Los Angeles Public Library ("LAPL"). Project construction would not substantially increase the demand for library services for which current demand exceeds the ability of the facility to adequately serve the population. As such, Project construction would not result in the need for new or physically altered libraries, the construction of which would cause significant environmental impacts. Therefore, impacts on library facilities during Project construction are less than significant.

(ii) Operational

As the Project Site is currently vacant, there are no existing residents on-site that use the six identified libraries. The Project would result in a mixed-use development with commercial and residential components. Thus, the Project's population would increase the demand for library services compared to existing conditions. Under the more impactful Option B, the service population of each library would be affected by the addition of the Project's 389 estimated new residents, as shown in Table IV.J.5-3 of the Draft EIR.

While the 2007 Branch Facilities Plan recommends the addition of a second branch for communities with populations above 90,000 persons, the Central Library, which is the closest library to the Project, is sufficient when considered with the other five identified libraries (located within the Project vicinity). The Chinatown, Echo Park, and Pico Union branches currently meet the recommended building size standards. With the addition of the Project's 389 estimated new residents, the libraries would continue to meet the recommended building size standards. Although the Little Tokyo and De Neve library branches would continue operations without meeting recommended building standards under existing and future conditions, residents of the Project would likely frequent the Central Library.

The Project would not be anticipated to result in a substantial increase in demand for library services for which current demand exceeds the ability of the facility to adequately serve the population, especially because residents of the Project would likely use the Central Library. Therefore, the Project would not result in the need for new or altered facilities, the construction of which would cause significant environmental impacts. As such, impacts on library facilities during operation of the Project are less than significant.

2. Cumulative Impacts

The residential population of a library's service area is the primary metric used by the LAPL for assessing the adequacy of library services. The Central Library is the headquarters for the Los Angeles Public Library and is a resource for the local population as well as individuals residing outside the Central Library's service area.

Pursuant to the library sizing standards recommended in the 2007 Branch Facilities Plan, the

cumulative future service population for the Central Library would warrant the addition of a new branch library based on the library sizing standards recommended in the 2007 Branch Facilities Plan, since the service population would exceed 90,000 persons. Further, the remaining libraries identified by the LAPL would not meet recommended building size standards for their projected cumulative future service populations. Therefore, the addition of the projected service populations of the Project, related projects, and other future development in the Community Plan area could potentially result in cumulative impacts to libraries.

However, this estimate is likely overstated as it does not consider that much of the growth associated with the Project and related projects is already accounted for in the service population projections made by the LAPL based on SCAG projections. In addition, the estimate is conservative considering that all six libraries would provide library services to the 118,859 new residents generated by the Project and the related projects, and not all the residents would utilize the six libraries equally. Residents would be more likely to utilize libraries closer in proximity as their primary libraries. In addition, the estimate of the cumulative service population is largely driven by the number of related projects in the Project area. Similar to the Project, each related project, and other future development in the Community Plan area would generate revenues to the City's General Fund (in the form of property taxes, sales tax, business tax, etc.) that could be applied toward the provision of new library facilities and related staffing for any one of the libraries serving the Project area, as deemed appropriate. These revenues to the General Fund would help offset the increase in demand for library services as a result of the Project and the related projects.

Nonetheless, based on the library sizing standards recommended in the 2007 Branch Facilities Plan, the cumulative future service population would warrant the addition of a new branch library. Therefore, the addition of the projected service populations of the Project, related projects, as well as other future development in the Community Plan area could potentially result in cumulative impacts to libraries. In accordance with CEQA Guidelines Section 15130(a)(3), a project's contribution to a significant cumulative impact is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. The LAPL has recommended a fee of $200 per capita based upon the projected population of the Project, which would be applied towards staff, books, computers, and other library materials. This would be applied as a Condition of Approval on the Project. Therefore, the Project would not result in a cumulatively considerable impact to libraries and cumulative impacts with regard to libraries are be less than significant.

3. Project Design Features

The City finds that no specific Project Design Features are incorporated into the Project to reduce its potential impacts to libraries.

16. Transportation

1. Conflict with Circulation Plan

(i) Construction Truck Trips

The peak period of truck activity during construction would occur during excavation and grading of the Project Site. Haul trucks would travel on approved truck routes designated within the City. Given the Project Site's proximity to SR-110, haul truck traffic would take the most direct route to the appropriate freeway ramps. The haul route would be reviewed and approved by the City. Based on projections for the Project, approximately 25,092 cubic yards (cy) of material would be excavated and removed from the Project Site over a 65-workday period during the excavation and grading phase. That equates to approximately 386 cy of material exported each workday, requiring 39 haul trucks per work day based on an anticipated haul truck capacity of 10 cy each.

Thus, up to 39 daily haul truck trips (20 inbound, 19 outbound) are forecasted to occur during the excavation and grading period, with approximately eight trips per hour (four inbound, four outbound) uniformly over a typical five-hour workday. Assuming a passenger car equivalency (PCE) factor of 2.0 based on regionally accepted standards, the 39 truck trips would be equivalent to 78 daily PCE trips. The eight hourly truck trips would be equivalent to 16 PCE trips (eight inbound, eight outbound) per hour. In addition, a maximum of 10 construction workers would work at the Project Site during this phase. Assuming minimal carpooling amongst those workers, an average vehicle occupancy (AVO) of 1.135 persons per vehicle was applied, as provided in SCAQMD's CEQA Air Quality Handbook. Therefore, 10 workers would result in a total of 18 vehicle trips (nine in and nine out) to and from the Project Site on a daily basis. With the Construction Management Plan (Project Design Feature TRANS-PDF-1), it is anticipated that haul truck activity to and from the Project Site would occur outside of the AM and PM peak hours. In addition, hours of construction typically result in workers to be on-site before the weekday AM commuter peak period and allow them to leave before or after the PM commuter peak period (i.e., arrive at the Project Site prior to 7:00 AM and depart before 4:00 PM or after 6:00 PM). Therefore, no peak hour construction traffic impacts are expected during the grading phase of construction and impacts are less than significant.

(ii) Construction Worker Trips and Parking

The traffic impacts associated with construction workers depends on the number of construction workers employed during various phases of construction, as well as the travel mode and travel time of the workers. In general, as stated above, the hours of construction typically necessitate workers to be on-site before the weekday AM commuter peak period and allow them to leave before or after the PM commuter peak period (i.e., arrive at the Project Site prior to 7:00 AM and depart before 4:00 PM or after 6:00 PM). Therefore, most, if not all, construction worker trips would occur outside of the typical weekday commuter peak periods. The estimated number of construction workers each day depends on the stage of construction. According to construction projections prepared for the Project, the building construction phase would employ the most construction workers, with a maximum of approximately 300 workers per day for all components of building construction (i.e., framing, plumbing, elevators, inspections, finishing). However, since the different components of building construction would not occur or be installed simultaneously, this cumulative estimate likely overstates the number of workers that would be expected on the peak construction day. Assuming an AVO of 1.135 persons per vehicle, 300 workers would result in a total of 265 vehicles that would arrive and depart from the Project Site each day. The estimated number of daily trips associated with the construction workers is approximately 530 trips (265 inbound, 265 outbound), but nearly all of those trips would occur outside of the peak hours, as described above. As such, the building construction phase would not cause a significant traffic impact at any of the study intersections and impacts are less than significant.

During construction, adequate parking for construction workers would be secured in local public parking facilities or, if needed, a remote site with shuttle service provided. Restrictions against workers parking in the public right-of-way in the vicinity of (or adjacent to) the Project Site will be identified as part of the Construction Management Plan (Project Design Feature TRANS-PDF-1). All construction materials storage and truck staging would be contained on-site, unless specified in the Construction Management Plan. Project construction would also require delivery of construction materials. An average of 20 to 100 daily delivery truck trips to the Project Site is envisioned, depending on the construction phase. The largest number of deliveries is anticipated to occur during the building construction phase, when approximately 100 daily delivery trips (50 inbound, 50 outbound) are envisioned, which corresponds to approximately 20 trips (10 inbound, 10 outbound) per hour, assuming delivery truck trips would occur uniformly over a five-hour period from approximately 10:00 AM to 3:00 PM, predominantly outside of the peak hours. Construction activities, such as materials delivery and loading would occur only during off-peak hours on certain days and would not be a regular event. Therefore, impacts related to worker trips and parking during Project construction are less than significant.

(iii) Construction Activities and Traffic

One vehicular lane on 5th Street and Hill Street may be closed for approximately 30 months as needed. In addition, the sidewalk fronting the Project Site may require temporary closures for equipment staging. Project construction is not expected to create hazards for roadway travelers, bus riders, or parkers, as long as commonly practiced safety procedures for construction are followed. Such procedures and other measures (e.g., to address temporary traffic control, lane closures, sidewalk closures, relocation of bus stops, etc.) will be incorporated into the Construction Management Plan (Project Design Feature TRANS-PDF-1), bus stop relocation (TRANS-PDF-2) and pedestrian safety (TRANS-PDF-3).

Table IV.K-10 of the Draft EIR depicts the operating conditions of the intersections of Hill Street and 4th Street, Hill Street and 5th Street, and Broadway and 5th Street if construction of the Project requires a closure of one lane on 5th Street and one lane on Hill Street for up to 30 months. As shown, all three intersections currently operate at Level of Service (LOS) A during both the AM and PM peak hours. With the closure of one lane on 5th Street and one lane on Hill Street, all three intersections would continue to operate at LOS A in the AM and PM peak hours. Based on the Thresholds Guide, the closure of one lane on 5th Street and one lane on Hill Street along the Project frontages during construction of the Project would not result in a temporary significant impact. Therefore, impacts are less than significant.

Construction of the Project would be largely contained within the Project Site and not affect adjacent street access. In addition, the Construction Management Plan (Project Design Feature TRANS-PDF-1) would ensure the adoption of safety procedures creating a safe environment for those accessing the Project Site during Project construction. Therefore, impacts related to access and safety during Project construction are less than significant.

Construction activities are expected to, on occasion, temporarily require additional space beyond the Project Site to stage equipment and implement safety measures. The bus stop on the north side of 5th Street near Broadway (Metro lines 55/355, Rapid 720) would need to be relocated during construction for the safety of passengers. Relocation would be conducted in coordination with LADOT and Metro, according to the established protocol. Project Design Feature TRANS-PDF-2 would ensure continued bus service in case of any temporary sidewalk closures or bus stop relocation. Therefore, impacts related to bus/transit service during Project construction are less than significant.

Certain construction activities, such as roadway improvements, utility relocation or extension, and drainage facility reconstruction, would result in a loss of up to six on-street parking spaces on 5th Street. Pursuant to PRC Section 21099, parking impacts would not be considered significant. Therefore, impacts related to on-street parking during Project construction are less than significant.

The Construction Management Plan (Project Design Feature TRANS-PDF-1) would provide safety precautions for pedestrians and bicyclists through such measures as alternate routing and overhead protection barriers. Construction would not create any hazards to pedestrians and bicyclists. Therefore, impacts are less than significant.

(iv) Operation Impacts

Peak hour traffic volumes generated by the Project were added to the existing AM and PM peak hour traffic volumes. Table IV.K-11 of the Draft EIR summarizes the results of the Existing with Project Conditions during the weekday AM and PM peak hours for the 10 signalized study intersections. As shown, all 10 signalized study intersections are expected to continue to operate at LOS A during both the AM and PM peak hours under Existing with Project Conditions. As shown, the incremental increase in volume to capacity (V/C) with the addition of the Project traffic it is not anticipated to exceed the City's significance thresholds at any of the 10 signalized study intersections. The Project would not result in a significant impact during either the AM or PM peak

hour under Existing with Project Conditions. Therefore, impacts are less than significant.

The analysis year of 2023 corresponds to the anticipated buildout year of the Project. All future cumulative traffic growth (i.e., Ambient and Related Project traffic growth) and transportation infrastructure improvements described above are incorporated into this analysis. AM and PM peak hour traffic volumes generated by the Project were added to the Future without Project (Year 2023) AM and PM peak hour traffic volumes. Table IV.K-12 of the Draft EIR summarizes the results of the Future with Project Conditions during the AM and PM peak hours for the 10 signalized study intersections. As shown, nine of the 10 signalized study intersections continue to operate at LOS C or better during both the AM and PM peak hours under Future with Project Conditions. The remaining signalized intersection (Intersection No. 2: Olive Street and 5th Street) operates at LOS A in the AM peak hour and LOS D in the PM peak hour. As shown, the incremental increase in V/C with the addition of Project traffic is not anticipated to exceed the City's significance thresholds at any of the 10 signalized study intersections. Therefore, the Project would not result in a significant impact during either the AM or PM peak hour under Future with Project Conditions and impacts are less than significant.

The Traffic Study prepared for the Project evaluated operating conditions at 10 signalized intersections located in the vicinity of the Project Site. In light of the geographic scope of the study area, the analysis of the study intersections was sufficient to cover all potentially affected street segments. Additionally, analysis of street segment capacity is typically prepared for programmatic-level projects, such as a General Plan or Community Plan. Therefore, a street segment capacity analysis was not conducted for the Project. In addition, LADOT's Traffic Study Policies and Procedures do not require a local residential street analysis for a residential project. In addition, the Project is located within a commercial corridor that is developed with office and commercial uses and is not proximate to a network of residential streets that facilitate access to and from the Project Site. Therefore, no further residential street segment analysis was conducted. Project driveways and access would be designed according to LADOT standards. Therefore, the Project would not result in inadequate access and impacts to access are less than significant.

The Study Area is served by numerous established transit routes, including numerous bus lines, as well as the Metro Red Line and Purple Line. The total residual capacity of the Metro and LADOT bus lines within the Study Area during the AM and PM peak hours is approximately 10,178 and 7,622 transit trips, respectively. The Project's AM and PM peak hour person trips by transit are projected at 35 and 64 trips, respectively, or approximately less than 0.1 percent of the total residual capacity of the transit lines within the Study Area during AM and PM peak hours. Therefore, impacts on public transit are less than significant.

As shown in Table II-4 of the Draft EIR(in Section II, Project Description), based on the parking requirements for the proposed land uses set forth in LAMC Sections 12.21 A.4(p), the Project would be required to provide 124 parking spaces. The Project would provide 126 spaces, thus complying with the applicable parking requirements of the LAMC. As such, impacts related to parking would be less than significant. In addition, pursuant to PRC Section 21099, parking impacts would not be considered significant. Bicycle parking requirements per LAMC Section 12.21 A.16(a) include short-term and long-term parking. Short-term bicycle parking is characterized by bicycle racks that support the bicycle frame at two points. Long-term bicycle parking is characterized by an enclosure protecting all sides from inclement weather and secured from the general public. As shown in Table II-5 of the Draft EIR (in Section II, Project Description), the Project would be required to provide 156 bicycle parking spaces. As described in Table II-5, of the Draft EIR, the Project proposes to provide a total of 157 parking spaces. Therefore, the Project would comply with, and/or exceed, bicycle parking requirements of the LAMC. As such, impacts related to bicycle parking would be less than significant. The Project would result in a loss of up to six on-street parking spaces on 5th Street to accommodate the Project's driveway. Pursuant to PRC Section 21099, parking impacts would not be considered significant. Therefore, impacts related to on-street parking during Project operation are less than significant.

As discussed in the analysis above, the Project would not result in significant traffic impacts during the AM and PM peak period under Existing With Project Conditions and Future With Project Conditions. As such, the Project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system with respect to intersections. In addition, the Project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system with respect to streets, neighborhood and residential streets, and mass transit. Furthermore, although the Project would comply with the applicable parking requirement of the LAMC, the Project is located in a transit priority area, and parking impacts are less than significant.

2. Congestion Management Program

The CMP (i.e., Congestion Management Program) identifies the arterial monitoring intersection of Alvarado Street and Wilshire Boulevard to be approximately 1.6 miles northwest of the Project Site. AM and PM peak hour traffic for this intersection, which is located outside the Study Area, was calculated based on the number of trips entering and leaving the Study Area in the direction of the intersection, conservatively assuming there would be no diverging trips. Based on this methodology, the number of peak hour trips expected to be generated by the Project at the arterial monitoring intersection is expected to be one trip in the AM peak hour and three trips in the PM peak hour. Accordingly, the Project would add fewer than 50 peak hour trips at the arterial monitoring intersection nearest the Study Area. Therefore, the CMP arterial intersection impacts resulting from the Project are less than significant.

The CMP identifies three mainline freeway monitoring locations within the vicinity of the Project Site. The monitoring locations are located at the following:

- SR 110 south of US 101 – approximately 0.81 miles north of the Project Site;
- SR 110 at Alpine Street – approximately 1.18 miles northeast of the Project Site; and
- US 101 north of Vignes Street – approximately 1.02 miles northeast of the Project Site.

While the Project is projected to add vehicle trips to these three freeway monitoring locations during the AM and PM peak hours, as shown in Table IV.K-13 of the Draft EIR, the Project would add fewer than 150 peak hour trips in each direction. Therefore, no further analysis is required, and the CMP mainline freeway impacts resulting from the Project are less than significant.

Section B.8.4 of the CMP provides a methodology for estimating the number of transit trips expected to result from a proposed project based on the number of vehicle trips. This methodology assumes an AVO factor of 1.4 in order to estimate the number of person trips to and from the Project Site and guidance regarding the percentage of person trips that may use public transit. Based on the assumptions in the trip generation estimates, a transit/walk-in adjustment of up to 15 percent was applied to account for the use of non-automobile travel modes (e.g., rail, light rail, bus, bicycle, walk, etc.). For the purposes of this analysis, all the transit/walk-in trip estimates were conservatively assumed to travel via public transit. Prior to transit reduction adjustments, the Project is anticipated to generate approximately 163 AM peak hour trips and 304 PM peak hour trips. Assuming an AVO of 1.4, vehicle trips result in an estimated increase of 228 person trips during the AM peak hour and 427 person trips during the PM peak hour. Using the 15-percent mode split, the Project would generate approximately 35 net new transit trips in the AM peak hour and 64 net new transit trips in the PM peak hour. The Study Area is served by numerous established transit routes, including numerous bus lines, as well as the Metro Red Line and Purple Line. The total residual capacity of the Metro and LADOT bus lines within the Study Area during the AM and PM peak hours is approximately 10,178 and 7,622 transit trips, respectively. The Project's AM and PM peak hour person trips by transit are projected at 35 and 64 trips, respectively, or approximately less than 0.1 percent of the total residual capacity of the transit lines within the Study Area during AM and PM peak hours. Therefore, impacts to public transit

are less than significant.

3. Increase in Hazards due to Design Feature or Incompatible Use

Vehicle access to the site would be provided via a driveways off of Hill Street and 5th Street. The Project would comply with the City's applicable requirements, including emergency access requirements set forth by LAFD. The Project design would also be reviewed by the LADBS and the LAFD during the City's plan review process to ensure all applicable requirements are met. The Project would comply with the conditions contained within the LADOT Approval Letter for the Project, such as construction requirements (e.g., TRANS-PDF-1), highway dedication and street widening requirements (in accordance with Mobility Plan 2035), parking requirements (in accordance with LADBS requirements), site access and circulation (in accordance with LADOT requirements), and payment of development review fees (in accordance with LAMC requirements). Thus, the Project design would not increase hazards due to a design feature or incompatible use and impacts are less than significant.

4. Emergency Access

Implementation of Project Design Feature TRANS-PDF-1 would require the submission of a Construction Management Plan prior to the start of any construction activities. The Construction Management Plan would provide for temporary traffic controls to ensure adequate emergency access to all residences and businesses adjacent to the roadways impacted by the Project's construction activities. Construction impacts on emergency access are less than significant.

With respect to operation, emergency vehicle access to the Project Site is provided via local roadways. As discussed in Section IV.J.1-1 of the Draft EIR, the nearest disaster routes include Figueroa Street approximately 0.4 miles northwest of the Project Site, San Pedro Street approximately 0.7 miles southeast of the Project Site, and 1st Street approximately 0.7 miles northeast of the Project Site. The Project's design would be required to comply with LADBS and LAFD access requirements. The LAFD's ability to provide adequate fire protection and emergency response services to a site is also determined by the degree to which emergency response vehicles can successfully navigate the given access ways and adjunct circulation system along the response route. Therefore, operational impacts on emergency access are less than significant.

5. Conflict with Public Transit, Bicycle or Pedestrian Plan

The Project is located within 500 feet of the Metro Red/Purple Line station and various municipal bus line stops. The Project projected increase in residents and employees would not exceed the capacity of the existing transit system. Thus, Project impacts to the regional transit system is less than significant.

Dedicated bicycle lanes currently exist on Spring Street and Main Street. Construction and/or operation of the Project would not conflict with these lanes. In order to facilitate bicycle use, bicycle parking spaces would be provided on-site, consistent with the Bicycle Parking Ordinance, LAMC Section 12.21 A.16(a)(2). Therefore, impacts to bicycle facilities would be less than significant.

Project Design Feature TRANS-PDF-3 would provide adequate protections to existing pedestrian facilities such as sidewalks around the Project Site. Pedestrian access to the Project Site would be provided along 5th Street and Hill Street to the internal lobby and elevator/stair access points. The Project access locations would be designed to provide adequate sight distance, sidewalks, crosswalks, and pedestrian movement controls that meet the City's requirements to protect pedestrian safety. All roadways and driveways intersect at right angles, and street trees and other potential impediments to provide adequate driver and pedestrian visibility would be minimal. Therefore, impacts to pedestrian facilities are less than significant.

6. Cumulative Impacts

(i) Construction

Cumulative construction impacts could occur if construction traffic from related projects would impact the same streets and access points as the Project. Related projects in the vicinity could use a variety of street routes to and from SR-110; however, the exact routes are speculative, and the timing of each related project is not defined. It is unlikely that the Project, combined with another related project, would result in cumulative traffic impacts during construction as construction impacts are temporary and similar to the Project, each related project would also be required to implement a Construction Management Plan. The Construction Management Plan would include street closure information, detour plans, truck routes, and staging plans, and formalizes how construction activities would be conducted and identifies specific action that would be required to reduce effects on the surrounding community.

As discussed above, construction workers are anticipated to arrive before AM peak hours and leave before or after PM peak hours. Additionally, many of the haul truck routes for the related projects would be approved by LADOT and/or LADBS according to the location of the individual construction site and the ultimate destination. The City's established review process would take into consideration overlapping construction projects and would balance haul routes to minimize the impacts of cumulative hauling on any particular roadway. The related projects would be required to prepare a Construction Management Plan to ensure that potential construction-related impacts are reduced. Thus, cumulative traffic impacts during construction are less than significant and the Project's contribution to construction trips would not result in a cumulatively consider impact and cumulative impacts are less than significant.

The Project would not require substantial roadway and/or sidewalk closures to the extent that a hazard to roadway travelers, including LAPD and LAFD staff, and/or pedestrians would occur. With regard to cumulative impacts to access and safety, bus/transit, and on-street parking, coordination with LADOT would ensure that none of the related projects would share the same access points or have the potential to affect the same bus stops. Thus, the Project's impact to access and safety and to transit during construction would not result in a cumulatively considerable impact and cumulative impacts are less than significant.

The Project would implement a Construction Management Plan that would include measures to ensure that adequate parking for construction workers would be provided either on-site or at off-site, off-street locations, which would avoid any on-street parking demand associated with Project construction. Similar to the Project related projects would be required to prepare a Construction Management Plan to ensure that potential construction-related impacts are reduced. Thus, the Project's impact to parking would not result in a cumulatively considerable impact and cumulative impacts are less than significant.

(ii) Operation

The analysis incorporates forecasted traffic increased associated with ambient growth and the related projects. Table IV.K-12 provides a summary of the Project impacts under future conditions. Traffic impacts created by the Project are determined by comparing the future without Project

conditions to the future with Project conditions. As shown, traffic associated with the Project would not result in a cumulatively considerable impact and cumulative impacts are less than significant.

The Project would add less than 150 trips along the freeway monitoring station closest to the Project Site. In addition, the Project would not add more than 50 vehicle trips during the AM and PM peak hours at the CMP arterial monitoring station nearest to the Project Site. Furthermore, the Project would not result in significant transit impacts. Thus, no CMP or transit impacts would occur under the Project and, as a result, the Project's contribution to cumulative impacts would not be cumulatively considerable. Thus, the Project's cumulative impacts with regard to the CMP and transit are less than significant.

Although the Project (and related projects) would cumulatively add transit ridership, the Project Site, Downtown LA, and the Study Area are served by a vast amount of transit service. As such, although the maximum ridership may exceed capacity along a specific existing local route (e.g., Metro Local 66 and DASH B) during both the AM and PM peak hours, overall, the total transit capacity can accommodate the Project's transit trips. Therefore, the Project impact to the regional transit system would not be cumulatively considerable and cumulative impacts are less than significant.

The Project Site is located within a commercial corridor that is developed with office and commercial uses and is not near a residential street. There are no residential streets in the immediate downtown area. Thus, Project impacts would not be cumulatively considerable and cumulative impacts are less than significant.

As analyzed above, Project impacts related to bicycle, pedestrian, and vehicular safety are less than significant. In addition, as with the Project, it is anticipated that future related projects would be subject to City review to ensure that they are designed with adequate access/circulation. As modifications to access and circulation plans are largely confined to a project site, a combination of impacts with other related projects that could lead to cumulative impacts is not expected. Thus, Project impacts with regard to bicycle, pedestrian, and vehicular safety would not be cumulatively considerable and cumulative impacts are less than significant.

7. Project Design Features

The City finds that Project Design Features TRANS-PDF-1 through TRANS-PDF-3, ad described above, and which are incorporated into the Project and are incorporated into these Findings as though fully set forth herein, reduce the potential impacts of the Project related to transportation. These Project Design Features were taken into account in the analysis of potential impacts.

17. Tribal Resources

1. Substantial Adverse Change in a Tribal Cultural Resources

No previously recorded tribal cultural resources were identified within the Project Site. The Project Site was further assessed for the potential to contain deeply buried, previously unidentified archaeological materials, including those that meet the definition of a tribal cultural resource, which was found to be low. The City submitted notification letters to the Tribes included on the AB 52 Consultation Notification List. The City received one response requesting consultation from the Gabrieleño Band of Mission Indians-Kizh Nation. Pursuant to AB 52, the City initiated tribal consultation with the Tribe on March 23, 2017. During the conference call on March 23, 2017, and subsequent email correspondence, the Gabrieleño Band of Mission Indians-Kizh Nation

stated that tribal cultural resources could be present on the Project Site to a depth of 30 feet below the surface, requested a Native American monitor be present on-site during all ground-disturbing activities, and submitted 11 maps to support the Tribe's claim of the potential presence of tribal cultural resources and the requested mitigation. The documents submitted during consultation were reviewed as part of this impact assessment and were found to lack substantial evidence of an existing tribal cultural resource within the Project Site. The documents may indicate an increased sensitivity for undocumented tribal cultural resources in the general vicinity of the Project Site; however, given the existing disturbances, including multiple demolition events and removal of a basement, the likelihood of any such resources to be present beneath the Project Site is sufficiently low.

In addition, the results of the records searches, ethnographic context research, and literature review did not identify any Tribal cultural resources within 0.5 miles of the Project Site. Furthermore, the Sacred Lands File ("SLF") search conducted by the NAHC for the Project did not identify any recorded Tribal cultural resources on the Project Site. The former village site of Yaanga was identified as the nearest Gabrielino/Tongva village referenced in ethnographic and historical literature and was located approximately one-mile northeast of the Project Site near the present-day Union Station. Accordingly, no geographically defined tribal cultural resource was identified that could be impacted by the Project. As such, consultation initiated by the City, acting in good faith and after a reasonable effort, has not resulted in the identification of tribal cultural resources within or near the Project Site. CEQA only requires mitigation measures if substantial evidence exists of potentially significant impacts. CEQA Guidelines Section 15126.4(a)(4)(A) states that there must be an essential nexus between the mitigation measure and a legitimate government interest (i.e., potential significant impacts). Based on these negative results, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe. Therefore, impacts to tribal cultural resources are less than significant.

While the Project would not adversely affect known tribal cultural resources, the City has established a standard condition of approval to address inadvertent discovery of tribal cultural resources. Should tribal cultural resources be inadvertently encountered, this condition of approval provides for: (1) the temporarily halting of construction activities near the encounter; and (2) the Project's certified construction monitor notifying the City and the Native American tribes that have informed the City that they are traditionally and culturally affiliated with the geographic area of the Project Site. If the City determines that the object or artifact appears to be a tribal cultural resource, the City would provide any affected tribe a reasonable period of time to conduct a site visit and make recommendations regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources. The Applicant would then implement the tribe's recommendations if a qualified archaeologist reasonably concludes that the tribe's recommendations are reasonable and feasible. The recommendations would then be incorporated into a tribal cultural resource monitoring plan, and once the plan is approved by the City, ground disturbance activities could resume. In accordance with the condition of approval all activities would be conducted in accordance with regulatory requirements.

2. Cumulative Impacts

Although impacts to tribal cultural resources tend to be site-specific, cumulative impacts would occur if the Project, related projects, and other future development within the Community Plan Area affected the same Tribal cultural resources and communities. The Project and the related projects are located within an urbanized area that has been disturbed and developed over time. There are no tribal cultural resources located on the Project Site and all Project development would remain on site. Any inadvertent discovery of Tribal cultural resources would be addressed

by adhering to the City's Tribal Cultural Resources condition of approval. In addition, in the event that tribal cultural resources are uncovered, each related project and other future development would be required to comply with the applicable federal and state regulatory requirements and with the City's condition of approval. Furthermore, related projects would also be required to comply with consultation requirements of AB 52 to determine and mitigate any potential impacts to tribal cultural resources. The Project would not result in a cumulatively considerable impact to tribal cultural resources and cumulative impacts to tribal cultural resources will be less than significant.

3. Project Design Features

The City finds that no specific Project Design Features are incorporated into the Project to reduce its potential impacts to tribal cultural resources.

18. Utilities and Service Systems Wastewater

1. New Facilities, Expanded Facilities, Adequate Capacity

The Project Site would be served by Los Angeles Bureau of Sanitation (LASAN), which provides municipal wastewater services to the City. The Project Site, as an urban infill area, is adequately served by the existing wastewater conveyance system since the area is developed and would not require the extension of infrastructure to a greenfield area. As part of the building permit process, the lead agency would confirm and ensure that there is sufficient capacity in the local and trunk lines to accommodate the Project's wastewater flows. All Project-related sanitary sewer connections and on-site infrastructure would be designed and constructed in accordance with applicable LASAN standards and provisions of the California Plumbing Code. Prior to the development of any new building, the capacity of the on-site sanitary sewers that would serve the building would be evaluated based on applicable LASAN standards and provisions of the CPC, and replacement or new sanitary sewers would be installed on-site, as necessary, to accommodate proposed flows. Per LAMC Section 64.14, further detailed gauging and evaluation would be conducted to obtain final approval of sewer capacity and a connection permit for the Project during the permitting process. As part of the normal construction/building permit process, the Project Applicant would confirm with the City that the capacity of the local and trunk lines are sufficient to accommodate the Project's wastewater flows during the construction and operation phases. If street closures for construction are required, the Project Applicant would coordinate with LADOT on a traffic control plan and have flagmen to facilitate traffic flow and safety.

(i) Construction

During construction, a negligible amount of wastewater would be generated by construction employees. Portable on-site sanitation facilities would be provided by a private company and the wastewater would be properly disposed of off-site. No new connections to the public sewer system would be required during construction of the Project. As such, wastewater generated during Project construction activities would not enter the local conveyance system and, thus, would not affect sewer line capacities in the Project area. Given the temporary and limited level of wastewater generation during construction, the Project would not exceed the capacity of any wastewater treatment plant by generating flows greater than those anticipated in the Integrated Resources Plan (IRP). Construction activities associated with upsizing and/or connection to existing lines would not result in significant impacts. Per Project Design Feature TRANS-PDF-1, a Construction Management Plan would be implemented during construction of the Project (see Section IV.K, Transportation/Traffic, of the Draft EIR for details of the Construction Management Plan). The Construction Management Plan would consider the nature and timing of specific construction activities and other projects in the vicinity, as well as disclose lane closure

information, detour plans, truck routes, and staging plans, and identify specific actions that would reduce the effects from construction of the Project on the surrounding community to ensure safe pedestrian access and vehicle travel and emergency vehicle access throughout the construction phase. Construction-related impacts to the existing wastewater infrastructure and facilities are less than significant.

(ii) Operation

The Project Site, as an urban infill area, is served by an existing wastewater conveyance system and would not require the extension of infrastructure to a greenfield area. The amount of wastewater flow generated during operation of the Project would be similar to residential, hotel, and commercial uses in the area. As shown on Table IV.M.1-2 of the Draft EIR, Estimated Wastewater Generation, the Project would generate a total of approximately 63,592 gallons per day (gpd) of wastewater.

In accordance with the wastewater reduction requirements for new non-residential and high-rise residential construction set forth in LAMC Section 99.05.303.4, the Project would be required to demonstrate a 20-percent reduction in potable water to comply with the City's Green Building Code. The total is a conservative approach since it does not take any credit for the proposed sustainable and water conservation features of the Project. Thus, the analysis overstates the Project's potential impacts on wastewater treatment and conveyance facilities. The wastewater flows into the existing eight-inch sewer line along Hill Street and the 10-inch sewer main along 5th Street. The proposed sewer discharge would be approximately 33 percent toward the eight-inch sewer main on Hill Street and 67 percent to the 10-inch sewer main on 5th Street. The 0.064 mgd increase in wastewater generation represents approximately 0.037 percent of the remaining capacity Hyperion Treatment Plan (HTP) system.

A Request for Wastewater Service Information ("WWSI") was submitted to the LASAN. The Project's wastewater generation was analyzed in the WWSI in conjunction with existing flows from adjacent uses that discharge to the same sewer lines. LASAN indicated that the existing sewer system has the capacity to accommodate up to 63,592 gpd of wastewater generated by the Project. Implementation of the Project would increase the amount of wastewater flow generated on the Project Site which currently does not generate any wastewater since the Project Site is vacant. As discussed above, further detailed gauging and evaluation, as required by LAMC Section 64.14, would be conducted to obtain final approval of sewer capacity and a connection permit for the Project during the Project's permitting process. All Project-related sanitary sewer connections and on-site infrastructure would be designed and constructed in accordance with applicable LASAN and California Plumbing Code requirements.

Therefore, the Project would not cause a measurable increase in wastewater flow at a point where, and at a time when, a sewer's capacity is already constrained or that would cause a sewer's capacity to be constrained. As such, operation of the Project would not (a) require or result in the construction of a new wastewater treatment facility or expansion of existing facilities, the construction of which could cause significant environmental effects, or (b) result in a determination by the wastewater treatment provider that serves or may serve the Project that it does not have adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments. Impacts are less than significant.

2. Cumulative Impacts

Construction activities associated with upsizing and/or connection to existing lines would not result in significant impacts. Related projects would not significantly impact traffic or emergency access, as required by the City, LAPD, and LAFD. Similar to the Project, cumulative construction-related impacts to the existing wastewater infrastructure and facilities would be less than significant.

As shown in Table IV.M.1-3 of the Draft EIR, Estimated Related Projects Wastewater Generation,

the related projects, in combination with the Project, would generate approximately 13 mgd of wastewater, with the Project accounting for approximately four percent of the projected increase in wastewater generation. Wastewater generated by the related projects would be treated at the HTP. The total wastewater flow would be within the design capacity of the HTP, representing about 7.4 percent of the remaining capacity. As such, the Project's incremental effect on cumulative impacts to wastewater treatment capacity would not be cumulatively considerable and cumulative wastewater impacts are less than significant.

As with the Project, related projects would be required to coordinate with LASAN via a sewer capacity availability request to determine adequate sewer capacity. In addition, related projects would also be subject to LAMC Sections 64.11 and 64.12, which require approval of a sewer permit prior to connection to the sewer system. In order to connect to the sewer system, related projects in the City of Los Angeles would also be subject to payment of the City's Sewerage Facilities Charge. Payment of such fees would help to offset the costs associated with infrastructure improvements that would be needed to accommodate wastewater generated by overall future growth. If system upgrades are required as a result of a given project's additional flow, arrangements would be made between the related project and LASAN to construct the necessary improvements. Furthermore, similar to the Project, each related project would be required to comply with applicable water conservation programs, including the City of Los Angeles Green Building Code. Therefore, Project impacts on the City's wastewater infrastructure would not be cumulatively considerable, and cumulative impacts are less than significant.

3. Project Design Features

The City finds that Project Design Feature TRANS-PDF-1 which is incorporated into the Project and is incorporated into these Findings as though fully set forth herein, reduce the potential impacts of the Project related to wastewater services. This Project Design Feature is into account in the analysis of potential impacts.

19. Utilities and Service Systems Water

1. New Facilities, Expanded Facilities, Adequate Capacity

(i) Construction

Construction activities requiring water (e.g., soil watering for fugitive dust control, clean up, masonry, painting, etc.) would be short term and temporary in nature. During the grading and excavation phases, the Project would use approximately 0.35 acre-feet (AF) of water. The amount of water used would be nominal for such purposes. As shown in Table IV.M.2-1 of the Draft EIR, the 2015 Urban Water Management Plan (UWMP) shows that demand and supplies would be met in the future. If the Project is consistent with SCAG's 2012 RTP/SCS on which the 2015 UWMP is based, then the Project has been accounted for in the UWMP's future projection and, therefore, has adequate supply to accommodate the Project. Therefore, the LADWP has adequate water supply to accommodate the nominal consumption needed for the Project's construction activities.

With Project Design Feature TRANS-PDF-1, a Construction Management Plan would be implemented during construction of the Project (see Section IV.K, Transportation/Traffic, of the Draft EIR for details of the Construction Management Plan). The Construction Management Plan would consider the nature and timing of specific construction activities and other projects in the vicinity, as well as disclose lane closure information, detour plans, truck routes, and staging plans, and identify specific actions that would reduce the effects from construction of the Project on the surrounding community. If street closures for construction is required, the Project Applicant shall coordinate with LADOT on a traffic control plan.

Overall, construction activities associated with the Project would not require or result in the construction of new water facilities or expansion of existing facilities, except for the new service lines to connect to the mainlines. In addition, the water distribution capacity would be adequate to serve the Project. Off-site construction impacts associated with installation of the new service lines would be temporary in nature and would not result in a substantial interruption in water service or inconvenience to motorists or pedestrians. Construction impacts to water service and existing water infrastructure and facilities are less than significant.

(ii) Operation

The Project Site is served by an existing water conveyance system, including a 12-inch water main in Hill Street and 12-inch main in 5th Street. There are no existing water service problems or deficiencies. New on-site water mains and laterals would be installed in accordance with CPC requirements, where necessary, to distribute water within the Project Site. As part of the building permit process, the Project Applicant shall confirm with the LADWP Water Service Organization (WSO) that the capacity of the existing water infrastructure can supply the domestic needs of the Project during the construction and operation phases. While domestic water demand is typically the main contributor to operational water consumption, fire flow demands have a much greater instantaneous impact on infrastructure and, therefore, are the primary means for analyzing infrastructure capacity. Fire flow to the proposed buildings of the Project would be required to meet City fire flow requirements. Specifically, the Project would comply with Section 57.507.3.1 of the LAMC, which establishes fire flow standards by development type. Hydrants, water lines, and water tanks would be installed per Los Angeles Fire Code requirements (see also Section IV.J.1 of the Draft EIR, Public Services – Fire Protection).

Based on fire flow standards set forth in Section 57.507.3 of the LAMC, the LAFD has identified the Project to fall within the industrial and commercial category, which has a required fire flow of 6,000 to 9,000 gpm from four to six adjacent hydrants flowing simultaneously with a residual pressure of 20 pounds per square inch. This translates to a required flow of 1,500 gpm for each hydrant. An Information of Fire Flow Availability was submitted to LADWP regarding available fire hydrant flow to demonstrate compliance. The analysis shows six nearby hydrants flowing simultaneously for a combined 9,000 gpm. The Project Site has adequate fire flow available to demonstrate compliance with Section 57.507.3 of the LAMC. The Project would incorporate a fire sprinkler suppression system to reduce or eliminate the public hydrant demands, which will be subject to LAFD review and approval during the design and permitting of the Project. Based on Section 94.2020.0 of the LAMC that adopts by reference National Fire Protection Association (NFPA) 14-2013, including Section 7.10.1.1.5, the maximum allowable fire sprinkler demand for a fully or partially sprinklered building would be 1,250 gpm. A Service Advisory Request (SAR) was submitted to LADWP to determine if the existing public water infrastructure could meet the demands of the Project. The SAR shows static pressure, flow and residual pressure of the surrounding public hydrants as follows:

- Hill Street: Static pressure of 61 pounds per square inch and a flow of up to 1,400 gpm with a residual pressure of 59 pounds per square inch
- 5th Street: Static pressure of 62 pounds per square inch and a flow of up to 1,400 gpm with a residual pressure of 61 pounds per square inch

The SAR shows existing residual pressure from surrounding public fire hydrants exceeds the 20 pounds per square inch requirement. In addition, the Project Applicant would be required to submit the Project's plot plans to the LAFD for review to ensure the Project complies with the applicable Los Angeles Fire Code, California Fire Code, City of Los Angeles Building Code, and NFPA standards, thereby ensuring that the Project would not create any undue fire hazard. The Project would include improvements that comply with the LADWP standards and LAFD requirements, including any necessary upgrades to the water infrastructure to adequately serve the Project. Therefore, existing regulations would ensure that the Project's impacts to the water

infrastructure would be less than significant. Installation of the proposed automatic fire sprinklers would be subject to LAFD review and approval during LAFD's fire/life safety plan review and LAFD's fire/life safety inspection for the Project, as set forth in Section 57.118 of the LAMC. As discussed, the approved Information on Fire Flow Availability and SAR confirm that sufficient infrastructure capacity is available to serve the water demands of the Project. The Project would not exceed the water infrastructure's available capacity that would serve the Project Site.

Accordingly, the Project would not require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. In addition, the water distribution capacity would be adequate to serve the Project. The Project's operational impacts to water facilities and infrastructure are less than significant.

4. Availability of Water Supply

(i) Construction

Construction activities for the Project would result in a temporary demand for water associated with soil compaction and earthwork, dust control, mixing and placement of concrete, equipment and site cleanup, irrigation for plant and landscaping establishment, testing of water connections and flushing, and other short-term related activities. These activities would occur incrementally throughout construction of the Project (from the start of construction to Project buildout). The amount of water used during construction would vary depending on soil conditions, weather, and the specific activities being performed. Given the temporary nature of construction activities, the short-term and intermittent water use during construction of the Project would be significantly less than the new water consumption at Project buildout. Minor infrastructure improvements would be needed to provide water during the construction of the Project since watering for dust control is supplied from water trucks or onsite storage of delivered water. Furthermore, as concluded in LADWP's 2015 UWMP, projected water demand for the City would be met by the available supplies during an average year, single-dry year, and multiple-dry year in each year from 2015 through 2040. If the Project is consistent with the SCAG's 2012 RTP/SCS on which the 2015 UWMP is based, then the Project has been accounted for in the UWMP's future projection and, therefore, has adequate supply to accommodate the Project. Therefore, the Project's demand for water during construction could be met by the City's available supplies during each year of Project construction.

Based on the above, Project construction activities would result in a limited, temporary demand for water and are not anticipated to have a substantial adverse impact on available water supplies. The LADWP would have sufficient water supply available to adequately serve the Project during construction from existing entitlements and resources, and no new or expanded facilities would be needed. As such, construction-related impacts to water supply are less than significant.

(ii) Operation

As shown in Table IV.M.2-4 of the Draft EIR, Estimated Project Water Demand, the Project would demand a total of approximately 63,592 gpd (or 0.064 million gpd) of water. In accordance with the wastewater reduction requirements for new non-residential and high-rise residential construction set forth in LAMC Section 99.05.303.4, the Project would be required to demonstrate a 20-percent reduction in potable water to comply with the City's Green Building Code. This total represents a conservative result since it does not take any credit for the proposed sustainable and water conservation features of the Project. Thus, the analysis below likely overstates the Project's potential impacts on water supply.

The LADWP (through its 2015 UWMP) anticipates its projected water supplies will meet demand through the year 2040, including anticipated growth projections and demographic changes. In terms of the City's overall water supply condition, the water requirement for any project that is consistent with the City's General Plan has been taken into account in the planned growth of the

water system. In addition, any project that conforms to the demographic projections from SCAG's 2012 RTP/SCS and is located in the service area, is considered to have been included in LADWP's water supply planning efforts, and, therefore, projected water supplies would meet projected demands. The 2015 UWMP is based on projections from SCAG's 2012 RTP/SCS, which provided projections through 2035.

Additionally, given the Project's compliance with applicable water conservation ordinances and regulations, such as California Code of Regulations ("CCR"), Title 20, Section 1604; CCR Title 22; and City Ordinances 165,004 and 166,080; the Project would not require or result in the construction of new water facilities. The Project would be required to implement all applicable mandatory measures of Ordinance No. 184,248 (Citywide Water Efficiency Standards Ordinance), the 2016 CALGreen Code, 2017 LA Green Building Code, and the City's LID Ordinance. These mandatory measures establish citywide water efficiency standards and require water-saving systems and technologies in buildings and landscapes to conserve and reduce water usage. The Citywide Water Efficiency Standards Ordinance applies to both the construction of new buildings and the addition or alteration of existing buildings in the City and ensures compliance with local and State mandates, such as the California Department of Water Resources Model Water Efficient Landscape Ordinance. The Project would also comply with the California Building Standards Commission requirements for irrigation systems. Based on the above, the Project would have sufficient water supplies available to serve the Project from existing entitlements and resources. The Project's impacts on water supply are less than significant.

5. Cumulative

Related projects, similar to the Project, would involve construction activities requiring water (e.g., soil watering for fugitive dust control, clean up, masonry, painting, etc.), which would be short term and temporary in nature. Thus, construction activities would require minimal water consumption and would not be expected to have an adverse impact on available water supplies or existing water distribution systems. Therefore, construction impacts on water infrastructure would not be cumulatively considerable, and cumulative construction impacts on the water infrastructure system are less than significant.

The geographic context for the cumulative impact analysis on water infrastructure is the vicinity of the Project Site (i.e., the water infrastructure that would serve the Project). Development of the Project and future new development in the vicinity of the Project Site would cumulatively increase demands on the existing water infrastructure system. However, as with the Project, other new development projects would be subject to LADWP review to assure that the existing public infrastructure would be adequate to meet the domestic and fire water demands of each project, and individual projects would be subject to LADWP and City requirements regarding infrastructure improvements needed to meet respective water demands, flow and pressure requirements, etc. The Project would comply with LAMC Fire Code requirements, and ongoing evaluations would be conducted by the LADWP, LADPW, and LAFD to ensure facilities are adequate. Therefore, Project impacts on water infrastructure would not be cumulatively considerable, and cumulative impacts on the water infrastructure system would be less than significant.

As shown in Table IV.M.2-5 of the Draft EIR, Estimated Related Projects Water Demand, the related projects in the City of Los Angeles, in combination with the Project, would demand approximately 13.9 million gpd of water, with the Project accounting for approximately four percent of the projected increase in water demand. The LADWP (through its 2015 UWMP) anticipates its projected water supplies will meet demand through the year 2040, including anticipated growth projections and demographic changes. For projects that meet the requirements established pursuant SB 610, SB 221, and Sections 10910-10915 of the California Water Code, a WSA demonstrating sufficient water availability is required on a project-by-project basis. Similar to the Project, each related project would be required to comply with City and California Water Code and conservation programs for both water supply and infrastructure. In terms of the City's overall water supply condition, the water requirement for any related project that is consistent with the

City's General Plan has been taken into account in the planned growth of the water system. In addition, any related project that conforms to the demographic projections from SCAG's 2012 RTP/SCS and is located in the service area, is considered to have been included in LADWP's water supply planning efforts, and, therefore, projected water supplies would meet projected demands.

Based on the related projects and projections provided in adopted plans (e.g., MWD's 2015 UWMP, LADWP's 2015 UWMP, and Sustainable City pLAn), it is anticipated that LADWP would be able to meet the net water demands of the Project and future growth through 2023 and beyond. The 2015 UWMP forecasts adequate water supplies to meet all projected water demand increases in the City through the year 2040. Therefore, no cumulative significant impacts with respect to water supply are anticipated from the development of the Project and the related projects. Project impacts on water supply would not be cumulatively considerable, and cumulative impacts on water supply are less than significant.

6. Project Design Features

The City finds that no specific Project Design Features are incorporated into the Project to reduce its potential impacts to water supply.

20. Utilities and Service Systems Solid Waste

1. Landfill Capacity

(i) Construction

Construction activities would generate construction and demolition wastes (e.g., wood, concrete, asphalt, cardboard, brick, glass, plastic, and metal) that would be recycled in accordance with the City's diversion requirements or collected by private waste haulers contracted by the Project Applicant and taken to a City-certified waste processing facility for sorting and final distribution, including disposal at the County's unclassified landfill. Since construction and demolition waste would be hauled by a private construction contractor permitted by the City, construction of the Project would not result in the need for an additional solid waste collection route.

As the Project Site is currently vacant, no demolition is required. Construction of the Project would result in an incremental and intermittent increase in construction solid waste disposal at local landfills. Construction waste materials are expected to be typical construction debris, including wood, paper, glass, plastic, metals, cardboard, and green wastes. Based on demolition and construction waste generation rates estimated by the USEPA's *Characterization of Building-Related Construction and Demolition Debris in the United States*, the Project is projected to generate a total of approximately 571 tons of solid waste over its construction period (see Table IV.M.3-3 of the Draft EIR, Estimated Project Construction Solid Waste).

Pursuant to the requirements of SB 1374 and City Ordinance No. 181519, the Project would implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of non-hazardous demolition and construction debris. Furthermore, the Project's construction contractor would be required to deliver all remaining construction and demolition waste generated by the Project to a certified construction and demolition waste processing facility. Thus, although the total diversion rate would likely exceed 75 percent, this analysis conservatively assumes a diversion rate of 75 percent. Applying this rate, the Project would dispose of approximately 143 tons of construction-related waste in the County's inert landfill throughout the construction period. This amount of construction and debris waste would represent approximately 0.0003 percent of the Azusa Land Reclamation Landfill's existing remaining disposal capacity of 56.34 million tons.

Thus, the total amount of construction and demolition waste generated by the Project would represent a fraction of the remaining capacity at the unclassified landfill serving Los Angeles County. Since the County's unclassified landfill generally does not face capacity shortages, and the County's unclassified landfill would be able to accommodate Project-generated waste, construction of the Project would not result in the need for an additional disposal facility to adequately handle Project-generated construction-related waste. The Project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. Therefore, construction impacts to solid waste facilities are less than significant.

(ii) Operation

Operation of the Project would generate municipal solid waste typical of residential and commercial developments. Solid waste generated by the Project would be recycled or collected by private waste haulers contracted by the Applicant and permitted by the City and taken for disposal at one of the County's landfills open to the City. The transport of Project-generated solid waste to waste management/disposal facilities would continue to occur along existing solid waste routes of travel. As such, the Project would not result in the need for additional solid waste collection routes to adequately handle Project-generated waste.

As shown in Table IV.M.3-4 of the Draft EIR, Estimated Project Solid Waste Generation, it is estimated that the Project would generate a total of approximately 889 tons per year of solid waste. This total represents a conservative estimate and does not account for any recycling efforts, which the Project would be required to implement. Assuming a 75-percent recycling rate (consistent with the amount of waste diverted in the City in 2015), the Project would generate a total of 213 tons per year of solid waste. The increase in solid waste disposal associated with the Project would represent an approximate 0.007-percent increase in the City's annual solid waste disposal quantity, based on the 2017 disposal of approximately 3.2 million tons (Table IV.M-3-2 of the Draft EIR). Project-generated solid waste would be collected by a private solid waste hauler and taken for disposal at one of the County's Class III landfills open to the City of Los Angeles. As shown in Table IV.M.3-1 of the Draft EIR, the estimated remaining capacity for the County's Class III landfills open to the City of Los Angeles is approximately 78.71 million tons. Thus, the Project's increase would represent approximately 0.0003 percent of the estimated remaining Class III landfill capacity available to the City.

The Project would comply with AB 1826 requiring that the organic waste generated in the commercial portions (restaurants) be recycled according to the implemented organic waste recycling program. The Project would not create a need for an additional solid waste collection route, or recycling or disposal facility to adequately handle project-generated solid waste. The Project would not conflict with solid waste policies and objectives in the City of Los Angeles Source Reduction and Recycling Element or its updates, City of Los Angeles Solid Waste Management Policy Plan, the City of Los Angeles General Plan Framework Element or the Curbside Recycling Program, or the County Integrated Waste Management Plan, including the most recent Annual Report.

Thus, based on the amount of solid waste to be generated by the Project, the waste reduction measures that would be implemented, and the existing capacity of Los Angeles County landfills, impacts associated with solid waste disposal are less than significant.

2. Cumulative Impacts

As shown in Table IV.M.3-5 of the Draft EIR, Cumulative Construction Estimated Solid Waste Generation, the related projects in combination with the Project would generate approximately 169,796 tons of construction solid waste, with the Project accounting for approximately 0.3 percent of the increase in construction solid waste generation. The related projects would generate an increase in construction-related (i.e., inert) waste during the construction period for each one. The calculation of construction-related debris for the related projects does not include

demolition debris but does provide the increase per land use by units/quantity. Given the requirements of the Citywide Construction and Demolition Debris Recycling Ordinance (Ordinance No. 181519), which requires all mixed construction and demolition waste generated within City limits be taken to a City certified construction and demolition waste processor, it is anticipated that related projects would also implement similar measures to divert construction and demolition waste from landfills.

Applying the 75-percent diversion rate, the related projects, in combination with the Project, would dispose of approximately 42,449 tons of construction-related waste in the County's inert landfill throughout the construction period. This amount of construction and debris waste would represent approximately 0.08 percent of the Azusa Land Reclamation Landfill's existing remaining disposal capacity of 56.34 million tons. Similar to the Project, each related project would deliver all construction and demolition waste generated to a Certified Construction and Demolition Waste Processing Facility in accordance with City Ordinance No. 181519. Furthermore, in accordance with regulatory requirements, the Project, along with each related project, would implement waste reduction measures, including reducing construction-related solid waste generation through the recycling of construction and demolition debris and using recycled building materials for new construction. Thus, the Project and each of the related projects would promote source reduction and recycling, consistent with AB 939 and the City's Solid Waste Integrated Resources Plan, General Plan Framework Element, RENEW LA Plan, and LA Green Plan. Construction of the Project and each of the related projects would not conflict with any applicable State or City solid waste regulations. Thus, the Project's construction and demolition debris would not be cumulatively considerable and cumulative impacts with regard to solid waste are less than significant.

Operation of the Project, in conjunction with forecasted growth in the County, would generate municipal solid waste and result in a cumulative increase in the demand for waste disposal capacity at Class III landfills. As previously stated, the County-wide demand for landfill capacity is continually evaluated by the County through preparation of the County Integrated Waste Management Plan Annual Reports. Each Annual Report assesses future landfill disposal needs over a 15-year planning horizon. As such, the 2016 Annual Report projects waste generation and available landfill capacity through at least 2031, the latest planning date available.

As shown in Table IV.M.3-6 of the Draft EIR, Estimated Related Project Solid Waste Generation, the related projects, in combination with the Project, would generate approximately 178,970 tons per year of operation solid waste, with the Project accounting for approximately 0.5 percent of that projected increase. Assuming a 75-percent recycling rate (consistent with the amount of waste diverted in the City in 2015), the cumulative total would generate a total of 44,743 tons per year of solid waste. The increase in solid waste disposal associated with the related projects and the Project would represent an approximate 1.3-percent increase in the City's annual solid waste disposal quantity, based on the 2017 disposal of approximately 3.2 million tons (from Table IV.M.3-2 of the Draft EIR). Solid waste would be collected by a private solid waste hauler and taken for disposal at one of the County's Class III landfills open to the City of Los Angeles. As shown in Table IV.M.3-1 of the Draft EIR, the estimated remaining capacity for the County's Class III landfills open to the City of Los Angeles is approximately 78.71 million tons. Thus, the increase associated with the related projects and the Project would represent approximately 0.2 percent of the estimated remaining Class III landfill capacity available to the City.

Each related project would be consistent with AB 939, the County Integrated Waste Management Plan, and the City's Solid Waste Integrated Resources Plan, City's General Plan Framework Element, RENEW LA Plan, and LA Green Plan. Similar to the Project, the related projects would not conflict with AB 939, AB 8126, the County Integrated Waste Management Plan, and the City's Solid Waste Integrated Resources Plan, City's General Plan Framework Element, RENEW LA Plan, and LA Green Plan, and would promote source reduction and recycling, consistent with the relevant regulations and plans identified above. Thus, the Project's contribution to the County's estimated cumulative waste stream would not be cumulatively considerable and cumulative

impacts with regard to solid waste are less than significant.

3. Project Design Features

The City finds that no specific Project Design Features are incorporated into the Project to reduce its potential impacts to solid waste.

21. Energy

1. Energy Efficiency

Appendix F of the CEQA Guidelines recommends quantification of the Project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the Project's life cycle, including construction, operation, maintenance, and/or removal. If appropriate, the energy intensiveness of materials may be discussed. The Project's energy requirements were calculated based on the methodology contained in CalEEMod for electricity and natural gas usage. Project VMT data were calculated based on CAPCOA guidelines. The calculations also took into account energy efficiency measures, such as Title 24, CALGreen, and vehicle fuel economy standards. During Project construction activities, a total of approximately 726 kWh of electricity, 112,593 gallons of gasoline, and 85,420 gallons of diesel are estimated to be consumed. During Project operations, a total of approximately 2,929 MWh of electricity per year, 10,322,212 cubic feet of natural gas per year, 284,335 gallons of gasoline per year, and 70,683 gallons of diesel fuel per year would be consumed.

The Project would comply with applicable regulatory requirements for the design of new buildings, including the provisions set forth in the 2016 CALGreen Code and California's Building Energy Efficiency Standards, which have been incorporated into the City of Los Angeles Green Building Code. With regards to transportation uses, the Project design and program would reduce the VMT throughout the region (internal trip generation due to mix of uses, bike parking, adjacent to public transit) and encourage use of alternative modes of transportation. The Project would be consistent with regional planning strategies that address energy conservation. SCAG's 2016- 2040 RTP/SCS focuses on creating livable communities with an emphasis on sustainability and integrated planning, and identifies mobility, economy, and sustainability as the three principles most critical to the future of the region. As part of the approach, the 2016-2040 RTP/SCS focuses on reducing fossil fuel use by decreasing VMT, reducing building energy use, and increasing use of renewable sources. The Project would be consistent with the energy efficiency policies emphasized in the 2016-2040 RTP/SCS. Most notably, the Project would be a mixed-use development consisting of residential, hotel, and commercial uses located in an area characterized by a high degree of pedestrian activity. The Project would provide greater proximity to neighborhood services, jobs, and residences and would be well-served by existing public transportation, including Metro and LADOT bus lines and rail lines.

The Project would not cause wasteful, inefficient, and unnecessary consumption of energy during construction or operation. The Project's energy requirements would not significantly affect local and regional supplies or capacity. The Project's energy usage during peak and base periods would also be consistent with electricity and natural gas future projections for the region. Electricity generation capacity and supplies of natural gas and transportation fuels would also be sufficient to meet the needs of Project-related construction and operations. During operations, the Project would comply with existing energy efficiency requirements, such as CALGreen. In summary, the Project's energy demands would not significantly affect available energy supplies and would comply with existing energy efficiency standards. Therefore, Project impacts related to wasteful, inefficient, and unnecessary consumption of energy are less than significant during construction and operation.

2. Energy Infrastructure

Construction activities at the Project Site would require minor quantities of electricity for lighting, power tools and other support equipment. Heavy construction equipment would be powered with diesel fuel. As existing power lines are located in the vicinity of the Project site, temporary power poles may be installed to provide electricity during Project construction. Existing off-site infrastructure would not have to be expanded or newly developed to provide electrical service to the Project during construction. Therefore, the Project would not result in an increase in demand for electricity that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. With regard to existing electrical distribution lines, the Applicant would be required to coordinate electrical infrastructure removals or relocations with LADWP and comply with site-specific requirements set forth by LADWP, which would ensure that service disruptions and potential impacts associated with grading, construction, and development within LADWP easements are minimized. As such, impacts to electrical infrastructure serving the surrounding community are less than significant.

Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas. Accordingly, natural gas would most likely not be needed to support Project construction activities; thus, there would be no demand generated by construction. However, the Project would involve installation of new natural gas connections to serve the Project Site. Since the Project Site is located in an area already served by existing natural gas infrastructure, it is anticipated that the Project would not require extensive off-site infrastructure improvements to serve the Project Site. Construction impacts associated with the installation of natural gas connections are expected to be confined to trenching in order to place the lines below surface. In addition, prior to ground disturbance, Project contractors would notify and coordinate with Southern California Gas (SoCalGas) to identify the locations and depth of all existing gas lines and avoid disruption of gas service to other properties. Therefore, construction of the Project would not result in an increase in demand for natural gas to affect available supply or distribution infrastructure capabilities and would not result in the construction of new energy facilities or expansion of existing facilities, impacts are less than significant.

The Project's operational electricity usage is approximately 0.01 percent of LADWP's projected sales. In addition, during peak conditions, the Project would represent approximately 0.03 percent of the LADWP estimated peak load. Based on the LADWP's estimate of the electricity demand of the Project, it would be supplied from LADWP's 34.5 kV system. Therefore, during Project operations, it is anticipated that LADWP's existing and planned electricity capacity and electricity supplies would be sufficient to support the Project's electricity demand and impacts are less than significant.

The Project operational natural gas usage represents approximately 0.00001 percent of the 2023 forecasted consumption in the SoCalGas planning area. SoCalGas has confirmed that the Project's natural gas demand can be served by the facilities in the Project area. Therefore, it is anticipated that SoCalGas existing and planned natural gas supplies would be sufficient to support the Project's net increase in demand for natural gas and impacts are less than significant.

Construction and operation of the Project would not result in an increase in demand for electricity or natural gas that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Therefore, Project impacts related to energy infrastructure capacity are than significant during construction and operation.

3. Cumulative Impacts

Based on the analysis provided above, the Project's contribution to cumulative impacts related to energy consumption (i.e., electricity, natural gas, and petroleum-based fuel) would not result in a

cumulatively considerable effect related to the wasteful, inefficient, and unnecessary consumption of energy during construction or operation. As such, the Project's impacts would not be cumulatively considerable and cumulative energy impacts including the wasteful, inefficient, and unnecessary consumption of energy are than significant.

The Project's contribution to cumulative impacts related to energy consumption (i.e., electricity, natural gas) would not result in a cumulatively considerable effect related to available supply or distribution infrastructure capabilities that could result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. As such, the Project's impacts would not be cumulatively considerable and cumulative energy infrastructure impacts are less than significant.

4. Project Design Features

The City finds that no specific Project Design Features are incorporated into the Project to reduce its potential impacts to energy.

VII. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT WITH MITIGATION

The following impact areas were concluded by the Draft EIR to be less than significant with the implementation of mitigation measures described in the Final EIR. Based on that analysis and other evidence in the administrative record relating to the project, the City finds and determines that mitigation measures described in the Final EIR reduce potentially significant impacts identified for the following environmental impact categories to below the level of significance. Pursuant to Public Resources Code Section 21081, the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the each of the following significant effects on the environment.

1. Cultural Resources

1. Historic Resources

The Project does not involve the demolition of any historical resources on the Project Site or in the vicinity. The Project would be constructed on vacant parcels with frontage on Hill Street and West 5th Street, and does not involve relocation of any buildings or structures on the Project Site or the conversion or rehabilitation of any building or structure on the Project Site or in the vicinity, and the Project does not involve the alteration of any building or structure in the vicinity. The Project would be constructed immediately adjacent to and would involve minor alterations to the Pershing Square Building, an historical resource as defined by CEQA. However, the Project will not demolish or materially alter those physical characteristics of the Pershing Square Building that convey its historical significance and justify its inclusion in the California Register of Historical Resources, and thus will not result in a substantial adverse change to the Pershing Square Building.

The proposed new construction is not considered an "addition" to the Pershing Square Building because it is conceived and designed as a building separate and distinct from the Pershing Square Building; it would be structurally independent of the Pershing Square Building and would be seen as a separate building when viewed from the public right-of-way. After implementation of the Project, the distinctive shape and form of the Pershing Square Building would remain intact and its architectural features would remain viewable and understandable when viewed from the exterior.

The Secretary of the Interior's Standards are accompanied by Guidelines for four types of treatments for historical resources: Preservation, Rehabilitation, Restoration, and

Reconstruction. Though none of the four treatments as a whole applies specifically to new construction in the vicinity of historical resources, Standards #9 and #10 of the Standards for Rehabilitation provide relevant guidance for such projects:

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The related new construction would not destroy historic materials and would be differentiated from the old but would be compatible with its historic neighbor, as described above. The adjacent new construction would be undertaken so that if removed in the future, the essential form and integrity of the historic property would be unimpaired. Thus, the proposed alterations to the Pershing Square Building would comply with the Standards.

The Project involves new construction that would alter the immediate surroundings of the identified historical resources connected to, adjacent to, and in the vicinity of the Project Site by adding height and density on parcels that are currently vacant. However, in order for this alteration to be considered a substantial adverse change, it must be shown that the integrity and/or significance of the historical resources would be materially impaired by the proposed alteration. A resource is not materially impaired unless it is altered in an adverse manner to the point that its physical characteristics fail to convey its historical significance. Therefore, impacts (under either Option A or Option B) are less than significant. Additionally, the Project would not demolish, relocate, convert, rehabilitate or alter any building that contributes to an historic district.

The Project is located outside the Broadway Theater and Commercial District's boundaries (District), and integrity of setting within the District would not be altered. The visibility of new high-rise construction outside the boundaries of the District does not alter the ability of the District to convey its significance. District contributors located in the vicinity of the Project Site, include the Metropolitan Building, the Wilson Building and the Fifth Street Store, all of which would not be affected by the Project. The Project, therefore, would not affect the integrity of location, design, materials, workmanship, or feeling of any contributors to the District, or to the District as a whole. All District contributors would remain intact in their current locations and would not be materially altered. For this reason, integrity of association would also remain unaffected by the Project because, after implementation of the Project, all the existing District contributors would continue to convey the district's association with commercial and theater development in Los Angeles in the early 20th century. Therefore, the Project would not alter the setting or surroundings of the Broadway Theater and Commercial District in a manner that would reduce its historic integrity or significance.

The Project Site is located two blocks west of the Spring Street Financial District and physically separated from it by the Broadway Theater and Commercial District. This separation effectively buffers the Spring Street Financial District from any impacts from new construction associated with the Project. The Project would not affect the integrity of location, design, setting, materials, workmanship, feeling or association of any contributor to the Spring Street Financial District. All contributors to the Spring Street Financial District would remain intact in their current locations and would not be materially altered. For these reasons, implementation of the Project would have no impact on the integrity or significance of the Spring Street Financial District, which would remain intact and would continue to convey its significance. Therefore, the Project would not alter the setting or surroundings

of the Spring Street Financial District in a manner that would reduce its historic integrity or significance.

The Project Site is located two blocks north of the Hill Street Commercial Historic District and is physically separated from it by two streets and the intervening city block. This separation effectively buffers the Hill Street Commercial Historic District from any impacts from new construction associated with the Project. The Project would not affect the integrity of location, design, setting, materials, workmanship, feeling, or association of any district contributor. All district contributors would remain intact in their current locations and would not be materially altered. For these reasons, implementation of the Project would have no impact on the integrity or significance of the Hill Street Commercial Historic District, which would remain intact and would continue to convey its significance. Therefore, the Project would not alter the setting or surroundings of the Hill Street Commercial Historic District in a manner that would reduce its historic integrity or significance.

However, construction of the Project does have the potential to impact the Pershing Square Building and the Metropolitan Building as a result of excavation and construction activities.

2. Paleontological Resources

As discussed above, a records search conducted for the Project Site indicates there are no previously encountered fossil vertebrate localities located within the Project Site. While the Project Site has been subject to grading in the past, grading would consist of excavation for several below-grade parking levels. Thus, the possibility exists that paleontological artifacts that were not recovered during prior construction or other human activity may be present. However, construction of the Project does have the potential to impact unique paleontological resources as a result of excavation and construction activities.

3. Project Design Features

No project design features are included in the Draft EIR with regard to cultural resources related to historic and paleontological resources.

4. Mitigation Measures

The City finds that Mitigation Measures CUL-MM-1 and CUL-MM-2, as described above, and which are incorporated into the Project and incorporated into these Findings as though set forth herein, reduce the impacts related to alteration of significant historical resources and paleontological resources to less than significant. These mitigation measures were taken into account in the analysis of Project impacts.

5. Finding

With implementation of Mitigation Measures CUL-MM-1 and CUL-MM-2, the potential impacts of the Project's construction activities (to historic and paleontological resources, respectively) are reduced to less than significant. No further mitigation measures are required. Pursuant to Public Resources Code, Section 21081(a)(1) the City finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant impacts as identified in the EIR.

6. Rational for Finding

(i) Historic Resources

To ensure projection of the Pershing Square Building and the Metropolitan Building, the Project's incorporation and implementation of Mitigation Measure CUL-MM-1 provided above requires a shoring plan to be prepared by a qualified structural engineer, with experience in historic preservation projects, for review and approval by the City. Implementation of Mitigation Measure CUL-MM-1 reduces the Project's potential impacts to the Pershing Square Building and the Metropolitan Building associated with the Project's construction and excavation activities to less than significant. Thus, the Project creates no significant impacts to historic resources.

(ii) Paleontological Resources

The Project excavates to a maximum depth of 46 feet below the existing ground surface. In the event paleontological resources are encountered, the Project will implement Mitigation Measure CUL-MM-2 to ensure that the resources are properly recovered and evaluated. Mitigation Measure CUL-MM-2 requires that a qualified paleontologist be retained to perform periodic inspections of excavation and grading activities at the Project Site. If paleontological materials are encountered, the paleontologist will temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. Ground-disturbing activities can resume once the paleontologist's recommendations have been implemented to the satisfaction of the paleontologist. The Project's incorporation and implementation of Mitigation Measure CUL-MM-2 reduces its potential construction impacts on paleontological resources to less than significant. Thus, the Project creates no significant construction impacts on paleontological resources.

7. Reference

For a complete discussion of the Project's impacts associated with cultural resources, see Section IV.B, Cultural Resources, of the Draft EIR; Appendices E-1, E-2, and E-3 of the Draft EIR; and Section III, Revisions, Clarification, and Corrections of the Final EIR.

2. Hazards and Hazardous Materials

1. Transport, Use, and/or Disposal of Hazardous Materials

(i) Construction

To evaluate potential impacts relative to hazards and hazardous materials, a Phase I ESA was prepared for the Project Site in accordance with the requirements of ASTM Practice E1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM Standard E1527-13). Construction of the Project would involve the temporary transport, use, and/or disposal of potentially hazardous materials, including paints, adhesives, surface coatings, cleaning agents, fuels, and oils. The use of these materials would be temporary and short-term in nature. Additionally, all potentially hazardous materials would be used and stored in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Any use of such materials would be minimal and limited to the Project Site. There is the potential that the debris contains asbestos and lead-based paint. In the event any suspect ACMs or LBP is found, the Project

would adhere to all federal, state, and local regulations prior to their disturbance and removal. Construction of the Project would be required to comply with applicable regulations concerning the exposure of hazardous substances to rainfall and runoff (NPDES Construction General Permit, discussed further in Section IV.F, Hydrology and Water Quality, of the Draft EIR), as well as the applicable federal and state regulations governing transport, storage, and use of hazardous materials (RCRA Title 42 of the CFR, the California Vehicle Code, and the California Health & Safety Code), and applicable provisions of the LAMC. Thus, the use of hazardous materials during Project construction would not expose persons to substantial risks resulting from the release of hazardous materials or exposure to health hazards in excess of regulatory standards.

In 1988, an underground storage tank (UST) was removed from beneath the east side of Hill Street, adjacent to the 440 South Hill Street address of the Project Site. The UST removal was approved by LAFD and was performed under the oversight of LAFD staff. According to a letter from LAFD to Metro Rail Transit Authority, dated June 16, 1993, LAFD issued a “No Further Action” determination. However, based on the results of the environmental soil screening conducted as part of the Phase I Environmental Site Assessment, excavation would encounter petroleum-impacted soil, which could potentially create a significant hazard to the public or the environment. Concentrations of “Total Petroleum Hydrocarbons – Diesel Range Organics” (TPHd) were found to exceed the screening level used in the Phase I, though this chemical has no published toxicity threshold. The presence of TPHd is likely associated with the former fuel oil UST historically located under Hill Street, adjacent to the 400 South Hill address of the Site, which was removed under LAFD permit and oversight in 1988.

As such, excavated soil is recommended to be screened by an environmental professional prior to off-Site disposal so that it can be evaluated for proper disposition. Absent mitigation, the Project construction could create a significant hazard to the public or the environment through the use of hazardous materials, and impacts associated with the use and storage of hazardous materials during construction would be less than significant. However, impacts associated with the transport and disposal of hazardous materials (i.e., contaminated soils) during construction could create a significant hazard to the public or the environment through the transport and disposal of hazardous materials.

2. Project Design Features

The City finds that no specific Project Design Features are incorporated into the Project to reduce its potential impacts to the transport, use, and/or disposal of hazards and hazardous Materials during construction.

3. Mitigation Measures

The City finds that Mitigation Measure HAZ-MM-1, as described above, and which is incorporated into the Project and incorporated into these Findings as though set forth herein, reduce the impacts related to the potential excavation of contaminated soils to less than significant. This mitigation measures was taken into account in the analysis of Project impacts.

4. Finding

With implementation of Mitigation Measure HAZ-MM-1, the potential impacts of the on-site contaminated soil is reduced to less than significant. No further mitigation measures are required. Therefore, pursuant to Public Resources Code, Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant impacts as identified in the EIR.

5. Rationale for Finding

Mitigation Measure HAZ-MM-1, which involves the preparation of a Soil Management Plan, would be required to identify proper protocol and procedures during excavation activities. Compliance with applicable City, state, and federal regulations related to the handling, storage, transport, and disposal of hazardous materials and waste during construction of the Project would further ensure that no significant hazard to the public or the environment occurs. Therefore, Project construction would not create a significant hazard to the public or the environment through the use of hazardous materials, and impacts associated with the use and storage of hazardous materials during construction would be less than significant. With mitigation, impacts associated with the transport and disposal of hazardous materials (i.e., contaminated soils) during construction would be less than significant and would not create a significant hazard to the public or the environment through the transport and disposal of hazardous materials.

6. Reference

For a complete discussion of the Project's impacts associated with hazards and hazardous materials, see Section IV.E, Hazards and Hazardous Materials, of the Draft EIR. See also Appendix G, of the Draft EIR.

3. Noise

1. Vibration- Building Damage

(i) Construction

Construction would require equipment, such as excavators, loaders, graders, auger drill rigs, and haul trucks. Auger drill rigs and large tracked heavy equipment, such as excavators, loaders, and bulldozers can produce vibration levels of 0.089 inches per second PPV at a distance of 25 feet. Loaded haul trucks and delivery vehicles can produce vibration levels of 0.076 inches per second PPV at this distance. Table IV.H-13 of Draft EIR shows the maximum building damage vibration impacts that could be experience by buildings in the Project’s vicinity as a result of the Project’s construction activities. As shown, the Project’s construction-related vibration impact at these buildings are significant.

2. Project Design Features

The City finds that no specific Project Design Features are incorporated into the Project to reduce its potential impacts to the buildings from vibration associated with construction.

3. Mitigation Measures

The City finds that Mitigation Measures NOI-MM-8 and NOI-MM-9, as described above, and which are incorporated into the Project and incorporated into these Findings as though set forth herein, reduce the potential building damage impacts due to the Project’s on-site construction vibration to less than significant. These mitigation measures were taken into account in the analysis of Project impacts.

4. Finding

With implementation of Mitigation Measures NOI-MM-8 and NOI-MM-9, the potential building damage impacts due to the Project’s on-Site construction vibration are reduced to less than

significant. No further mitigation measures are required. Therefore, pursuant to Public Resources Code, section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid these significant effects on the environment.

5. Rationale for Finding

Mitigation Measures NOI-MM-8 and NOI-MM-9 would reduce the Project's vibration sources and implement a comprehensive monitoring program for the identified receptors. These measures would substantially reduce the potential for the Project's construction-related vibrations to damage these receptors. With these measures in place, the Project's construction vibration impact as it relates to potential building damage are less than significant.

As mentioned, Project-related on-site construction activities have the potential to result in significant vibration impacts with respect to building damage at the Pershing Square Building, Silver City Jewelry (444 Hill Street), 438 Hill Street, the Metropolitan Building, and 445 Broadway Street. However, the Project implements Mitigation Measures NOI-MM-8 and NOI-MM-9, which require pre-construction surveys to be performed to document the conditions of the identified receptors, implementation of a structural monitoring program during construction, and construction activities that produce vibration, such as excavation, and earthmoving, to be sequenced so that vibration sources within 10 feet of the identified receptors do not operate simultaneously. Therefore, the Project's incorporation and implementation of Mitigation Measures NOI-MM-8 and NOI-MM-9 reduce its potential building damage impacts associated with on-Site construction vibration to less than significant. Thus, the Project creates no significant on-Site construction vibration building damage impacts.

6. Reference

For a complete discussion of the Project's impacts associated with noise, see Section IV.H, Noise, of the Draft EIR; Appendix I, of the Draft EIR; and Section III, Revisions, Clarification, and Corrections of the Final EIR.

VIII. SIGNIFICANT AND UNAVOIDABLE IMPACTS

The Final EIR determined that the environmental impacts set forth below are significant and unavoidable. In order to approve the project with significant unmitigated impacts, the City is required to adopt a Statement of Overriding Considerations, which is set forth in Section XI below. No additional environmental impacts other than those identified below will have a significant effect or result in a substantial or potentially substantial adverse effect on the environment as a result of the construction or operation of the project.

1. Noise

1. On-site Construction Noise

The analysis of noise impacts associated with the Project's construction activities is presented below. In addition, as discussed in Section II, Project Description, of this Draft EIR, construction activities would occur for an estimated 30-month period. As such, since construction activities would occur over a period longer than 10 days for each phase of construction, the corresponding criterion used in the construction noise analysis below is when the Project-related construction noise exceeds the ambient exterior noise levels by 5 dBA (Leq) or more at a noise-sensitive use pursuant to the L.A. CEQA Thresholds Guide.

Section 112.05 of the LAMC establishes a maximum noise level of 75 dBA at 50 feet for

powered construction equipment operating in or within 500 feet from residential zones. Table IV.H-7 and Table IV.H-8 of the Draft EIR, provide construction noise levels generated by individual pieces of heavy equipment. However, the Project is not located in or within 500 feet of any residential-zoned land. The nearest residential zones to the Project are R5-4D-zoned parcels located along Grand Avenue, over 600 feet northwest of the Project; and along Hill Street and Olive Street are over 700 feet north of the Project. Nearby residential buildings at 411 West 5th Street (Title Guarantee Building), 437 South Hill Street, Metro 417, 312 West 5th Street, and 315 West 5th Street (Metropolitan) are all zoned C2-4D.

Noise impacts were modeled using the noise reference levels of excavators and front-end loaders, as these vehicles would be utilized extensively during the excavation and grading phases. Excavators can produce average noise levels of 76.7 dBA Leq at a reference distance of 50 feet; front-end loaders, 75.1 dBA Leq. Compounding their noise impacts is the fact that these vehicles commonly operate in tandem. Excavators remove soils and debris, and front-end loaders transport this matter to on-site stockpiles or haul trucks for off-site export. As a result, excavators and front-end loaders typically have the greatest potential to cause sustained and significant noise impacts at nearby receptors. The projected noise impacts from excavators and front-end loaders are shown in Table IV.H-7 and Table IV.H-8 of the Draft EIR.

Though other construction equipment may produce greater average or maximum noise levels than excavators and front-end loaders, their usage would be more intermittent in nature or shorter in duration. For example, graders can produce average noise levels of 81.2 dBA Leq at a distance of 50 feet. However, graders would not be required for more than a few days during the Project's paving phase of development, whereas excavators and front-end loaders would be required extensively throughout the Project's site preparation and grading phases. Tools, such as auger drills which produce average noise levels of 77.7 dBA Leq, would produce intermittent noise events when drilling, followed by longer periods of inactivity. Auger drills also would work individually and not in tandem with other major noise-generating construction vehicles or equipment. Therefore, excavator and loader noise levels are a better representation of the Project's most substantial construction noise impact.

For the Metropolitan Residences receptor, a specific construction noise impact was modeled with respect to the Project's potential to expose Project-facing residential units to building construction noises at upper levels. Some residential units with northwest-facing windows would likely be within 10 feet of construction activities related to the Project's exterior envelope and its interior buildout. Noise-generating equipment for these construction activities could include welders, compressors for pneumatic equipment, radial saws, and various powered hand tools. Of this equipment, welding would likely generate the greatest noise impact at Project-facing residential units. Welding torches can generate average noise levels of 73.3 dBA Leq at a distance of 50 feet. However, given the Project's proximity to these residential units, temporary noise levels from welding could at times exceed 80 dBA Leq. At a distance of 10 feet, noise from welding could be as high as 84 dBA Leq. This impact is included in Table IV.H-9 of the Draft EIR. At other receptors, the noise impact from welding would not exceed the noise impact from excavator and front-end loaders.

As shown, 312 5th Street Residences could experience a construction-related noise increase of 6.1 dBA, and Metropolitan Residences could experience an increase of 8.0 dBA. These impacts would exceed the Thresholds Guide's 5-dBA noise increase threshold for construction activities lasting more than 10 days in a three-month period. Though this impact could be reduced by the use of equipment mufflers, it is likely that Metropolitan Residences could still experience considerable noise levels from the Project's construction activities. In addition, as also shown, certain Project-facing Metropolitan Residences units would experience an additional impact from welding activities, which could increase noise levels at these units by 12.5 dBA. This impact could be reduced by placing sound curtains between the location of the construction activities and the Metropolitan Residences windows, but it is likely that technical constraints related to the location and height of these construction activities would prevent the

effective installation of sound curtains in some instances. As a result, the Project's on-site construction activities would result in a potentially significant noise impact.

The Project's potential to result in substantial temporary or periodic increases in ambient noise levels is assessed in response to the analyses of noise impacts associated with on-site and off-site construction activities above. As discussed, the Project would not exceed noise ordinance standards for construction. However, it would exceed significance thresholds recommended by the City in the CEQA Thresholds Guide. Therefore, the Project would have the potential to create a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project.

2. Cumulative On-site Construction Noise

Construction activities would temporarily increase ambient noise levels at nearby receptors. Any other future developments, including those resulting from the proposed DTLA 2040 Plan, that are built concurrently with the Project could further contribute to these temporary increases in ambient noise levels. As discussed earlier, western-facing units at Metropolitan Residences would experience a significant and unavoidable construction noise impact as a result of the Project. This impact is shown in Table IV.H-9 of the Draft EIR and discussed above in reference to on-site construction activities. Therefore, the Project would contribute to a cumulatively considerable construction noise impact at this noise-sensitive receptor location because any additional construction noise experienced by this receptor would only further increase its exposure to substantial construction noise levels.

3. Construction Vibration Human Annoyance

Table IV.H-14 of the Draft EIR provides the estimated vibration levels at the off-site sensitive uses due to construction equipment operation and compares the estimated vibration levels to the specified criteria for human annoyance. As shown in Table IV.H-14 of the Draft EIR, the Project would have the potential to exceed the criteria for human annoyance at nearby residents and workers as a result of its construction-related vibrations. Modeled vibration sources include on-site auger drill rigs and large dozer-type equipment, as well as haul trucks that would travel on nearby roadways. As shown, on-site vibration generated by auger drill rigs and large-dozer type equipment would exceed the criteria for human annoyance at the Pershing Square Building, Silver City Jewelry, 438 Hill Street, Metropolitan Building, and 445 Broadway. Loaded delivery vehicles and haul trucks would pass numerous roadside buildings when accessing or leaving the Project Site. As shown, receptors within 40 feet of roadways utilized by Project trucks could experience vibration levels in excess of 85 VdB. Residential uses within 110 feet of such roadways could experience vibration levels in excess of the FTA's 72-VdB criterion for these uses. As such, vibration impacts from on-site construction activities and construction trucks traveling along the anticipated haul routes would be significant with respect to human annoyance.

4. Cumulative Construction Vibration Human Annoyance

As discussed above, Mitigation Measures NOI-MM-8 and NOI-MM-9 would reduce the Project's vibration sources and implement a comprehensive monitoring program for the identified receptors. These measures would substantially reduce the potential for the Project's construction-related vibrations to damage these receptors. With these measures in place, the Project's construction vibration impact would be considered less than significant. But as related projects would be anticipated to use similar trucks as the Project, it is anticipated that construction trucks would generate similar vibration levels along the anticipated haul route(s). Therefore, to the extent that other related projects use the same haul route as the Project, potential cumulative human annoyance impacts associated with temporary and intermittent

vibration from haul trucks traveling along the designated haul routes would be significant.

5. Project Design Features

The City finds that Project Design Feature NOI-PDF-1 through NOI-PDF-3 are incorporated into the Project to reduce its potential impacts related to on-site construction noise, on-site construction vibration impacts related to human annoyance, cumulative on-site construction noise, and cumulative on-site construction vibration impacts related to human annoyance.

6. Mitigation Measures

The City finds that although Mitigation Measures NOI-MM-1 through NOI-MM-9, as described above, and which are incorporated into the Project and incorporated into these Findings as though set forth herein, reduce the Project's on-site construction noise impacts, on-site construction vibration impacts related to human annoyance, cumulative on-site construction noise, and cumulative on-site construction vibration impacts related to human annoyance, the mitigation measure do not reduce the Project's impacts to a less-than-significant level. These mitigation measures were taken into account in the analysis. The City further finds that there are no additional feasible mitigation measures the Project could implement to avoid its significant on-site construction noise, on-site construction vibration related to human annoyance, cumulative on-site construction noise, and cumulative on-site construction vibration impacts related to human annoyance.

7. Findings

(i) On-site Construction Noise

Pursuant to Public Resources Code, section 21081(a)(1) the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment. However, these impacts have not been reduced to less than significant.

The City finds that changes and alterations and mitigation measures were made to, or incorporated into, the Project to reduce the Project's significant on-site construction noise impacts. No additional measures are available to reduce these impacts to less-than-significant levels.

Pursuant to Public Resources Code, Section 21081(a)(3) the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report to reduce these impacts to less than significant.

(ii) Cumulative On-Site Construction Noise

Pursuant to Public Resources Code, Section 21081(a)(1) the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment. However, these impacts have not been reduced to less than significant.

The City finds that changes and alterations and mitigation measures were made to, or incorporated into, the Project to reduce the Project's significant cumulative on-site construction noise impacts. No additional measures are available to reduce these impacts to less-than-significant levels.

Pursuant to Public Resources Code, Section 21081(a)(3) the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report to reduce these impacts to less than significant.

(iii) Construction Vibration Human Annoyance

Pursuant to Public Resources Code, section 21081(a)(1) the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment. However, these impacts have not been reduced to less than significant.

The City finds that changes and alterations and mitigation measures were made to, or incorporated into, the Project to reduce the Project's significant on-site construction vibration impacts related to human annoyance. No additional measures are available to reduce these impacts to less-than-significant levels.

Pursuant to Public Resources Code, Section 21081(a)(3) the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report to reduce these impacts to less than significant.

(iv) Cumulative Construction Vibration Human Annoyance

Pursuant to Public Resources Code, Section 21081(a)(1) the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment. However, these impacts have not been reduced to less than significant.

The City finds that changes and alterations and mitigation measures were made to, or incorporated into, the Project to reduce the Project's significant cumulative on-site construction vibration impacts related to human annoyance. No additional measures are available to reduce these impacts to less-than-significant levels.

Pursuant to Public Resources Code, Section 21081(a)(3) the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report to reduce these impacts to less than significant.

8. Rationale for Findings

(i) On-Site Construction Noise

Mitigation Measures NOI-MM-1 through NOI-MM-7 are recommended to reduce the Project's on-site construction noise impacts at the identified receptors. However, construction noise impacts would remain significant and unavoidable.

Mitigation Measures NOI-MM-1 through NOI-MM-7, which include implementation of features, such as engine mufflers and noise blanket barriers, would reduce noise levels associated with individual pieces of equipment and combined construction noise levels. The implementation of Mitigation Measure NOI-MM-1 would reduce the Project's construction-related noise impact at 312 5th Street Residences to below 5 dBA. Equipping compatible construction vehicles with noise-reducing mufflers could reduce their noise levels by at least 3 dBA. As a result, with

mitigation, the Project's construction noise impact at this specific receptor would be considered less than significant. Mitigation Measure NOI-MM-1 would only be capable of reducing grading-related noise increases at Metropolitan Residences to 5.6 dBA, in excess of the 5-dBA threshold. As discussed above, noise impacts from welders and other smaller equipment and hand tools operating directly outside this receptor's windows could also exceed the 5-dBA noise increase threshold.

Mitigation Measure NOI-MM-2 would require that sound curtains be used to shield these residential windows from some sources of construction noise, but given the height of construction and limits on the feasibility of tall sound curtains (approximately eight feet), these sound curtains could not fully mitigate noise from all construction activities to below the 5-dBA threshold of significance. Curtain would dampen the loudest excavation activities, but would be unable to fully reduce construction noise at higher heights. MM-NOI-3 through MM-NOI-7 would provide additional reductions in noise but are similar to the best practices during construction and do not provide a quantifiable reduction amounts. Table IV.H-12 of the Draft EIR shows the Project's construction noise impacts after the implementation of the mitigation measures. As shown, certain Project-facing units in the Metropolitan Residences would still experience an increase exceeding the 5-dBA noise increase threshold. Therefore, the Project's on-site construction noise impact remain significant and unavoidable.

Mitigation Measures NOI-MM-1 through NOI-MM-7 would reduce noise levels associated with individual pieces of equipment and combined construction noise levels and also include feasible measures to control noise levels, including engine mufflers and noise blanket barriers. Table IV.H-12 of the Draft EIR shows the Project's construction noise impacts after the implementation of the mitigation measures. As shown, certain Project-facing units in the Metropolitan Residences would still experience an increase exceeding the 5-dBA noise increase threshold. Therefore, the Project's construction noise impact would be considered significant and unavoidable.

(ii) Cumulative On-site Construction Noise

As discussed previously, western-facing units at Metropolitan Residences would experience a significant and unavoidable construction noise impact as a result of the Project. This impact is shown in Table IV.H-9 of the Draft EIR and discussed in response to on-site construction noise impacts. Even with the incorporation of Mitigation Measures NOI-MM-1 through NOI-MM-7, the Project would result in a significant and unavoidable impact. Therefore, the Project would contribute to a cumulatively considerable construction noise impact at this noise-sensitive receptor location because any additional construction noise experienced by this receptor would only further increase its exposure to substantial construction noise levels.

(iii) Construction Vibration Human Annoyance

Mitigation Measures NOI-MM-8 and NOI-MM-9 would reduce the Project's vibration sources and implement a comprehensive monitoring program for the identified receptors. These measures would substantially reduce the potential for the Project's construction-related vibrations to damage these receptors. With these measures in place, the Project's construction vibration impact as it relates to potential building damage would be considered less than significant. However, although Mitigation Measure NOI-MM-9 would reduce vibration during ground-disturbing activities, the reduction would not be sufficient to bring the vibration levels below the significance thresholds, and, as such, the Project's potential on- and off-site construction vibration impacts with respect to human annoyance would be considered significant and unavoidable.

(iv) Cumulative Construction Vibration Human Annoyance

Mitigation Measures NOI-MM-8 and NOI-MM-9 would reduce the Project's vibration sources and implement a comprehensive monitoring program for the identified receptors. These measures would substantially reduce the potential for the Project's construction-related vibrations to damage these receptors. However, potential vibration impacts associated with temporary and intermittent vibration from project-related construction trucks traveling along the anticipated haul route(s) would be significant with respect to human annoyance.

9. References

For a complete discussion of the Project's impacts associated with noise, see Section IV.H, Noise, of the Draft EIR; Appendices I, of the Draft EIR; and Section III, Revisions, Clarification, and Corrections of the Final EIR.

IX. ALTERNATIVES TO THE PROJECT

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that could substantially reduce or avoid the significant impacts of a project while also meeting the project's basic objectives. An EIR must identify ways to substantially reduce or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1). Accordingly, the discussion of alternatives shall focus on alternatives to a project or its location which are capable of avoiding or substantially reducing any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. The alternative analysis included in the Draft EIR, therefore, identified a reasonable range of project alternatives focused on avoiding or substantially reducing the project's significant impacts.

1. Summary of Findings

Based upon the following analysis, the City finds, pursuant to CEQA Guidelines Section 15096(g)(2), that no feasible alternative or mitigation measure will substantially lessen any significant effect of the project, reduce the significant unavoidable impacts of the project to a level that is less than significant, or avoid any significant effect the project would have on the environment.

2. Project Objectives

Section 15124(b) of the California Environmental Quality Act (CEQA) Guidelines states that a project description shall contain "a statement of the objectives sought by the proposed project." In addition, Section 15124(b) of the State CEQA Guidelines further states that "the statement of objectives should include the underlying purpose of the project." The objectives of the Project are as follows:

1. Location of a high-density mixed-use development on a vacant site in a transit priority area that is adjacent to the Metro Red/Purple Line Pershing Square Light Rail Station and several Metro and DASH bus lines.
2. Development of new residential units that contribute to the Mayor's housing goal of building 100,000 new housing units by 2021, as well as the policies of SCAG's 2016-2040 RTP/SCS and the City's General Plan Framework, Health and Wellness, and Housing Elements.
3. Promoting and supporting community interaction on and around the Project Site for residents, workers, and visitors through the introduction of new amenities.

4. Furthering the growth of the City's economic base through the introduction of an economically viable project that includes revenue generating commercial activities, tax revenues, and other fiscal benefits for the community.

5. Supporting the revitalization of the Historic Core by contributing to the active downtown environment through the addition of residences, restaurants, and bars.

6. Development of an architecturally recognizable building that furthers the development of downtown Los Angeles and is easily accessible by public transit to both local residents and visitors of the city.

7. Development of different types of new housing units, including a variety of floor plan layouts and bedroom types, condominium units to help meet the demand for high-density housing for Downtown employees in the Central City Community Plan Area (Objective 1-2).

3. Alternatives Rejected as Being Infeasible

Section 15126.6(c) of the CEQA Guidelines requires EIRs to identify any alternatives that were considered by the lead agency but were rejected as infeasible, and briefly explain the reasons underlying the lead agency's determination. According to the CEQA Guidelines, among the factors that may be used to eliminate an alternative from detailed consideration are the alternative's failure to meet project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. Alternatives can be rejected by the City for specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers that make infeasible the project alternatives identified in the Final EIR. Alternatives to the project that have been considered and rejected as infeasible are discussed below.

(i) Reduced Construction Hours

Noise impacts would occur adjacent to the residential uses at the Metropolitan Building. Reducing the hours of construction with a later start time (possibly after 10 AM) and an earlier finish time (3 PM) could provide some relief from construction noise and vibration occurring during a longer construction day. However, since the noise impact is based on the distance to the sensitive receptor and not the duration in a day, there would still be significant and unavoidable impacts. This schedule would increase the overall schedule and the temporary construction noise and vibration (human annoyance) would be in place for local residents for a longer period of time. This scenario would not change the equipment mix or the amount of time needed to build the Project. In addition, the reduced construction schedule would extend the overall construction period much longer, resulting in more days of significant impacts. Finally, the limited construction hours would allow construction for only 4-5 hours per day. Therefore, this approach is not financially feasible for construction workers and contractors and would likely increase the cost. Therefore, an alternative with reduced construction hours was rejected from further consideration.

(ii) Alternative Setbacks

Noise impacts would occur adjacent to the residential uses at the Metropolitan Building. Even at a setback of 25 feet from the Metropolitan Building, there would be no appreciable reduction in construction noise, especially the welders. The Site is 65 feet wide between the Pershing

Square Building and Metropolitan Building and approximately 35 feet wide on Hill Street. Setting the excavation and podium and tower back 25 feet from the Metropolitan Building would constrict the vehicle turnaround and circulation at the ground level, and severely constrict the floor area for the podium and tower. The building would be impractical. In addition, this would have no appreciable decrease in the noise. Therefore, alternative setbacks were rejected from further consideration.

(iii) Alternate Project Site

The Project Applicant owns the Project Site and cannot reasonably be expected to acquire, control, or access an alternative site in a timely fashion. If an Alternative Site in the downtown Los Angeles area that could accommodate the Project could be found, it would be expected that the significant and unavoidable impacts associated with on-site construction noise would also occur. Additionally, development of the Project at an alternative site could potentially produce other environmental impacts that would otherwise not occur at the current Project Site and result in greater environmental impacts when compared with the Project. Therefore, an alternative site is not considered feasible since the Project Applicant does not own another suitable site that would achieve the underlying purpose and objectives of the Project.

4. Alternatives Analyzed in the Draft and Final EIR

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that could substantially reduce or avoid the significant impacts of a project while also meeting a project's basic objectives. Each decision-making body of the City finds that given the potential impacts of the project, the Final EIR considered a reasonable range of alternatives to the project to provide informed decision-making in accordance with Section 15126.6 of the CEQA Guidelines. Based on the significant environmental impacts of the project and the objectives established for the project, the following alternatives to the project were evaluated in the Final EIR:

- Alternative 1: No Project Alternative
- Alternative 2: Existing Zoning Alternative
- Alternative 3: Project with Expanded Daily Construction Hours

5. Alternative 1 No Project

CEQA requires the alternatives analysis to include a “no project” alternative, which is the circumstance under which the Project does not proceed. The purpose of analyzing a No Project Alternative is to allow decision makers to compare the impacts of approving the project with the impacts of not approving the project (CEQA Guidelines Section 15126.6[e][1]). Pursuant to CEQA Guidelines Section 15126.6(e)(2), requirements of the analysis of the “no project” alternative are as follows:

> The “no project” analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time the environmental analysis is commenced, as well as what would reasonably be expected to occur in the foreseeable future if the proposed project were not approved, based on current plans, and consistent with available infrastructure and community services.

Accordingly, for purposes of this analysis, Alternative 1, the No Project Alternative, assumes that the Project would not be approved, no new permanent development would occur within the Project Site, and the existing environment would be maintained. Thus, the physical

conditions of the Project Site would generally remain as they are today. Specifically, the Project Site would remain vacant and partially excavated, and no new construction would occur.

6. Impact Summary

(i) Air Quality

Alternative 1 would not alter the existing condition of the Project Site or require any construction activities on the Project Site. Therefore, Alternative 1 would not result in any construction emissions associated with construction worker trips and construction truck traffic, fugitive dust from demolition and excavation, or the use of heavy-duty construction equipment, and no construction-related regional and localized air quality impacts would occur. As such, Alternative 1 would avoid the less-than-significant impacts of the Project associated with construction-related regional and localized emissions, and impacts would be less than those of the Project. Since construction activities would not occur on the Project Site, Alternative 1 would not result in diesel particulate emissions during construction that could generate substantial TACs. Similar to the Project, Alternative 1 would avoid the less-than-significant impacts of the Project related to TACs, and impacts would be less than those of the Project.

Alternative 1 would not result in new development or increased operations that could generate additional operational emissions related to vehicular traffic or the consumption of energy resources on the Project Site. Therefore, no operational air quality impacts associated with regional and localized emissions would occur under Alternative 1. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to regional and localized air quality, and impacts would be less than those of the Project. Alternative 1 would not result in new development or increase the intensity of the existing uses on the Project Site. Therefore, no new increases in mobile source emissions would occur. Like the Project, Alternative 1 does not include typical sources of acutely and chronically hazardous TACs such as industrial manufacturing processes and automotive repair facilities. As a result, Alternative 1 would not create substantial concentrations of TACs.

(ii) Cultural Resources

Under Alternative 1, the Project Site would remain vacant and would not affect adjacent, or nearby historic resources. Therefore, no impacts to historic resources would occur under Alternative 1. Accordingly, Alternative 1 would avoid the less-than-significant impacts with mitigation related to excavation and construction activities under the Project, and impacts would be less than those of the Project.

Under Alternative 1, no grading or earthwork activities would occur. Therefore, there would be no potential for Alternative 1 to uncover unique archaeological resources. As such, no impacts to archaeological resources would occur. Accordingly, Alternative 1 would avoid the less-than significant impacts of the Project related to excavation and construction activities, and impacts would be less than those of the Project.

There would be no potential for Alternative 1 to uncover subsurface paleontological resources. As such, no impacts to paleontological resources would occur. Accordingly, Alternative 1 would avoid the less-than-significant impacts with mitigation related to excavation and construction activities under the Project, and impacts would be less than those of the Project.

(iii) Geology and Soils

Alternative 1 would not construct new development on the Project Site that would require

grading or other earthwork activities. Therefore, Alternative 1 would not exacerbate existing environmental conditions related to fault rupture, strong seismic shaking, liquefaction, seismically induced settlement, soil stability, subsidence, or expansive soils, such that substantial damage to structures or infrastructure or exposure of people to substantial risk of injury would occur. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to geology and soils, and impacts would be less than those of the Project.

(iv) Greenhouse Gases

Alternative 1 would not develop new uses on the Project Site. Therefore, no new GHG emissions would be generated under Alternative 1. As such, no impacts associated with global climate change would occur. Accordingly, Alternative 1 would avoid the less-than significant impacts of the Project related GHG emissions, and impacts would be less than those of the Project.

(v) Hazards and Hazardous Materials

Alternative 1 would not require demolition, grading, or other construction activities. Therefore, Alternative 1 would not have the potential to uncover subsurface hazards, use or release hazardous materials, or generate hazardous waste during construction. In addition, Alternative 1 would not result in new development or increased operations that would use or generate hazardous materials. Furthermore, since Alternative 1 would not result in any changes to the Project Site, no impacts related to the implementation of any emergency response or evacuation plans would occur. Accordingly, no impacts related to hazards and hazardous materials would occur under Alternative 1. As such, Alternative 1 would avoid the less-than significant impacts with mitigation related to the disturbance of petroleum-impacted soil under the Project, and impacts would be less than those of the Project.

(vi) Hydrology and Water Quality

Alternative 1 would not construct new development on the Project Site that would affect the hydrological conditions on-site, including surface water flows, groundwater, or water quality. Therefore, Alternative 1 would not violate water quality standards, deplete groundwater supplies, alter drainage, create runoff water, place housing in a 100-year floor hazard, expose people to flooding, or inundation by seiches, tsunami, or mudflow. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to hydrology and water quality. No impacts related to hydrology and water quality would occur under Alternative 1. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to hydrology and water quality, and impacts would be less than those of the Project.

(vii) Land Use and Planning

Under Alternative 1, there would be no changes to the physical or operational characteristics of the Project Site. No land use approvals or permits would be required. Therefore, no impacts associated with consistency with land use regulations and plans would occur. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to land use consistency, and impacts would be less than those of the Project. However, it should be noted that, unlike the Project, Alternative 1 would not advance local and regional planning objectives that promote the development of new housing to meet housing demand, infill mixed-use developments in urban centers near public transit, and pedestrian-oriented improvements. Specifically, the Project Site would remain a vacant site that is not used for any purpose.

There would be no new development on-site that would provide much-needed housing, lodging, and employment opportunities; develop restaurant uses; or enhance the street frontage and pedestrian experience along 5th Street and Hill Street.

Since Alternative 1 would not develop new land uses on the Project Site, the existing uses would not be altered, and existing land use relationships would remain. Therefore, no impacts related to land use compatibility would occur under Alternative 1. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to land use compatibility, and impacts would be less than those of the Project.

(viii) Noise

No construction activities would occur under the Alternative 1. Therefore, no construction-related noise or vibration would be generated on-site or off-site. As such, no on-site or off-site noise or vibration impacts would occur during construction of Alternative 1. Alternative 1 would eliminate the Project's significant and unavoidable construction noise impact during construction and vibration (human annoyance), and impacts would be less than those of the Project.

Alternative 1 would not develop new uses on the Project Site, and no changes to existing site operations would occur. Therefore, no new stationary or mobile noise sources would be introduced to the Project Site or the Project vicinity. As such, no impacts associated with operational noise would occur under Alternative 1. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to operational noise, and impacts would be less than those of the Project.

(ix) Population and Housing

Under Alternative 1, the Project Site would not be redeveloped and would remain vacant. As such, Alternative 1 would not generate new housing, new population, or temporary or permanent employment opportunities. Alternative 1 would not provide the benefits of the Project related to increased housing and employment opportunities in a High Quality Transit Corridor and across the street from the Metro Red/Purple Line Pershing Square Station. Alternative 1 would have no impact on population and housing. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to population, housing, and employment, and impacts would be less than those of the Project.

(x) Public Services

No changes to the vacant site would occur under Alternative 1. Therefore, there would be no potential to increase the level of activity on the Project Site or increase the service population for the LAFD stations that would serve the Project Site. No impacts to fire protection and emergency services would occur under Alternative 1. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to fire protection services, and impacts would be less than those of the Project.

No changes to the existing conditions of the Project Site would occur under Alternative 1. Therefore, there would be no potential to increase the level of activity on the Project Site or increase the service population for the LAPD station that would serve the Project Site. No impacts to police protection services would occur under Alternative 1. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to police protection services, and impacts would be less than those of the Project.

Alternative 1 would not construct a new development on an existing vacant site. Therefore, there would be no potential to increase the population of school-aged children in the attendance boundaries of the schools within the LAUSD that serve the Project Site. No

impacts to school services would occur under Alternative 1. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to schools, and impacts would be less than those of the Project.

Alternative 1 would not construct a new development on an existing vacant site. Therefore, Alternative 1 would not generate any demand for parks and recreational facilities in the Project vicinity. No impacts to parks and recreational facilities would occur under Alternative 1. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to parks and recreation, and impacts would be less than those of the Project.

Alternative 1 would not construct a new development on an existing vacant site. Therefore, Alternative 1 would not increase the library service population in the Project area. No impacts to library services would occur under Alternative 1. Accordingly, Alternative 1 would avoid the less than-significant impacts of the Project related to library services, and impacts would be less than those of the Project.

(xi) Transportation

Since Alternative 1 would not include the development of any buildings on-site, construction activities would not occur on the Project Site. Therefore, Alternative 1 would not generate vehicle trips associated with heavy-duty construction equipment, haul trucks, or construction worker vehicles. As such, no construction-related traffic impacts would occur under Alternative 1. In addition, since construction activities would not occur under Alternative 1, there would be no potential for access and safety, bus/transit, and on-street parking impacts during construction. Overall, no construction-related traffic impacts would occur under Alternative 1. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to transportation and traffic, and impacts would be less than those of the Project.

Since Alternative 1 would not redevelop a vacant site, Alternative 1 would not generate any vehicle trips or alter existing access or circulation within the Project Site during operation. Therefore, no impacts would occur with respect to operational traffic, including intersection levels of service and the regional transportation system; access and circulation; and bicycle, pedestrian, and vehicular safety. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to transportation and traffic, and impacts would be less than those of the Project.

(xii) Tribal Cultural Resources

Excavation would not occur under Alternative 1. Therefore, there would be no potential for Alternative 1 to uncover potential subsurface tribal cultural resources. As such, no impacts to tribal cultural resources would occur. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to the inadvertent discovery of tribal cultural resources, and impacts would be less than those of the Project.

(xiii) Utilities

Alternative 1 would not construct a new development on an existing vacant site. Therefore, Alternative 1 would not generate any wastewater flow from the Project Site. No operational impacts related to wastewater conveyance or treatment would occur under Alternative 1. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to wastewater conveyance and treatment, and impacts would be less than those of the Project.

Construction activities would not occur under Alternative 1. Therefore, Alternative 1 would not generate a short-term demand for water during construction, and construction-related impacts

to water supply and infrastructure would not occur. In addition, since Alternative 1 would not construct a new development on an existing vacant site, Alternative 1 would not generate any increase in the long-term water demand on the Project Site. No operational impacts to water supply and water infrastructure would occur under Alternative 1. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to water supply and infrastructure, and impacts would be less than those of the Project.

Construction activities would not occur under Alternative 1. Therefore, Alternative 1 would not generate solid waste during construction, and construction-related impacts to solid waste facilities would not occur. In addition, since Alternative 1 would not construct a new development on an existing vacant site, Alternative 1 would not generate any increase in solid waste production on the Project Site. No operational impacts to solid waste collection or disposal facilities would occur under Alternative 1. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to solid waste, and impacts would be less than those of the Project.

Construction activities would not occur under Alternative 1. Therefore, Alternative 1 would not generate a short-term demand for energy during construction, and construction-related impacts to energy would not occur. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to energy use, and impacts would be less than those of the Project. Alternative 1 would not construct a new development on an existing vacant site. Therefore, Alternative 1 would not generate any increase in the long-term energy demand on the Project Site. No operational impacts related to energy would occur under Alternative 1. Accordingly, Alternative 1 would avoid the less-than-significant impacts of the Project related to energy use, and impacts would be less than those of the Project.

7. Findings

With this Alternative, all of the environmental impacts projected to occur from development of the Project will be avoided. Thus, this Alternative will be the environmentally superior alternative compared to the Project. The City finds that this Alternative, however, does not meet any of the Project Objectives. The City also finds that, pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, environmental, social, and technological or other considerations of importance to the City, including the provision of employment opportunities for highly trained workers and the considerations identified in Section XII of these Findings (Statement of Overriding Considerations) warrant rejection of the No Project Alternative described in the EIR.

8. Rationale for Findings

Under Alternative 1, the existing vacant status of the Project Site would remain, and no new development would occur. As such, Alternative 1 would not meet the underlying purpose of the Project or any of the Project's objectives. Alternative 1 would not develop the site with a mixed-use project consistent with the uses and densities envisioned for the Downtown Center. The site would remain vacant and would not contribute to the revitalization of the Historic Core and/or the contribution to the City's economic base. No new housing units would be constructed on the Site. Additionally, no new housing would be constructed adjacent to the Metro rail and bus lines. Accordingly, the City finds that this alternative is infeasible as it fails to achieve any of the Project's basic objectives.

9. Reference

For a complete discussion of impacts associated with Alternative 1, see Section VI, Alternatives,

of the Draft EIR and Section III, Revisions, Clarification, and Corrections of the Final EIR.

10. Alternative 2 Existing Zoning

Alternative 2, the Existing Zoning Alternative, would be built to the existing zoning of C2-4D, which restricts development to a 6:1 FAR. This alternative would include 13 residential units, 33 hotel rooms, and 20,431 square feet of commercial uses. Similar to the Project, the commercial uses would be interspersed on various levels, while the hotel rooms would be located on the lower levels and the residential units located above. The building proposed under this alternative would include 99,978 square feet (6:1 FAR), 26 levels (410'-6"), and 43 parking spaces. Alternative 2 would not include a request for TFAR.

Alternative 2 would have a similar parking layout with below-grade levels access via elevator lifts. Parking would still require the same number of subterranean levels. The circulation and drop-off areas would be the same as the Project, including landscaping along the pedestrian walkway into the Site from 5th Street. Parking and bike parking would be provided per LAMC requirements. Some residential units would have private cantilevered pools. Alternative 2 would also connect to the Pershing Square Building on the 13 level, similar to the Project. The same sustainability and conservation features of the Project would apply to Alternative 2.

Alternative 2 would involve the same amount of grading as the Project since the same number of subterranean parking levels and excavation needed for shoring for the building as the Project are proposed. Alternative 2 would have substantially fewer parking spaces (the number of above grade parking levels would be reduced) and a smaller overall building (reduced height and stories and reduced floor area). Accordingly, the construction schedule and architectural coating phases for Alternative 2 would also be reduced by half as compared to the Project, as shown in Table VI-3 of the Draft EIR. The total construction schedule for Alternative 2 would only be 490 days, as opposed to 850 days for the Project. Upon completion, Alternative 2 would result in a maximum FAR of 6:1 in compliance with the zoning for the Project Site.

11. Impact Summary

(i) Air Quality

While excavation for Alternative 2 would be the same as the Project (since parking would still require the same number of subterranean levels), the buildable area and construction schedule would be reduced by half as compared to the Project. Alternative 2 construction emissions are provided in Table VI-4 of the Draft EIR. As with the Project, construction of Alternative 2 has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated by construction workers traveling to and from the Project Site. In addition, fugitive dust emissions would result from excavation and construction activities. Construction emissions can vary substantially from day to day, depending on the level of activity and the specific type of operation. As shown in Table IV.A-6 (Section IV.A, Air Quality, of the Draft EIR), the Project would produce VOC, NOX, CO, SOX, PM10, and PM2.5 emissions that would not exceed the SCAQMD's regional thresholds or recommended localized standards of significance for NO2, CO, PM10, and PM2.5 during the construction phase.

While site preparation and grading emissions would be the same as the Project during maximum activity days, building construction and architectural coatings emissions would be less than the Project due to the smaller scale of development. Under Alternative 2, it is anticipated that construction activities would be reduced in comparison to the Project. Therefore, the intensity of air emissions and fugitive dust from construction activities would be less than those of the Project. Regional and localized impacts on these days would be the

same as those of the Project and would be less than significant. Therefore, impacts associated with regional and localized construction emissions under the Alternative 2 would be less than significant. The building construction phase would be lesser in scope than the Project due to the reduction in floor area. Like the Project, Alternative 2 would not include those land uses that are known to generate acutely and chronically hazardous TACs, such as industrial manufacturing processes and automotive repair facilities. Thus, impacts related to TACs under this alternative would be less than significant.

Alternative 2 would result in a reduction of 160,711 square feet as compared to the Project. Alternative 2 would have 18 fewer residential units that the Project. Alternative 2 would generate 1,148 net new daily trips, which is lower than the Project's 2,809 trips. The potential associated increase in population would be less than that associated with the Project and within the anticipated population increase considered by SCAQMD in its AQMP. As such, Alternative 2 would not result in unexpected population growth, and impacts related to consistency with SCAQMD's AQMP would be less than significant.

As shown in Table IV.A-7 and Table IV.A-8, (Section IV.A, Air Quality, of the Draft EIR), the Project would not exceed the SCAQMD's regional or localized significance thresholds. Operational regional air pollutant emissions associated with Alternative 2 would be generated by vehicle trips to the Project Site, which are the largest contributors to operational air pollutant emissions, and the consumption of electricity and natural gas. Since the amount of vehicular emissions is based on the number of trips generated, the overall pollutant emissions generated by Alternative 2 would be less than the emissions generated by the Project because the number of vehicular trips would be less. With the considerable reduction in overall floor area, both area sources and stationary sources would also generate less on-site operational air emissions compared to the Project. Therefore, under Alternative 2, total contributions to regional air pollutant emissions during operation would be less than significant and less than the Project's contribution.

Localized operational impacts are determined primarily by peak-hour intersection traffic volumes. The number of net new peak-hour trips generated by Alternative 2 (24 AM and 93 PM trips) would be less than the trips generated by the Project (122 AM and 226 PM trips). Similarly, localized air quality impacts under Alternative 2 would be less than significant and less than the Project's contribution. In addition, as with the Project, Alternative 2 would not introduce any major new sources of air pollution within the Project Site. Because the localized impacts analysis from on-site operational activities and the localized CO hotspot analysis associated with off-site operational activities for the Project did not result in any significant impacts, localized impacts under Alternative 2 also would be less than significant and less than those of the Project.

(ii) Cultural Resources

Under Alternative 2, the Project Site would be developed with a new building, albeit more compact and shorter than the Project. The cantilevered pools would still be approximately seven levels above the historic datum line of the surrounding historic buildings. Because the development of any building could have a potential impact from construction vibration, no matter the height, the same historic resources (Metropolitan Building and Pershing Square Building) would be potentially impacted during construction. The same Mitigation Measure CUL-MM-1 would also apply to Alternative 2. Therefore, like the Project, impacts to adjacent historic resources during construction of Alternative 2 would be reduced to less than significant with mitigation.

Alternative 2 would involve the same amount of grading as the Project. Therefore, there would be the same potential to uncover archaeological resources as the Project. However, as with

the Project, compliance with all required regulatory measures and implementation of Project Design Feature CUL-PDF-1 would ensure that any potential unique archaeological resources are protected. Therefore, like the Project, impacts to archaeological resources during construction of Alternative 2 would be less than significant.

Alternative 2 would involve the same amount of grading as the Project. Therefore, there would be the same potential to uncover paleontological resources as the Project. The same Mitigation Measure CUL-MM-2 would also apply to Alternative 2. Therefore, like the Project, impacts to paleontological resources during construction of Alternative 2 would be reduced to less than significant with mitigation.

(iii) Geology and Soils

Impacts related to site-specific geologic hazards, including fault rupture, strong seismic shaking, liquefaction, seismically induced settlement, subsidence, soil stability, and expansive and corrosive soils would be similar to those under the Project because such impacts are a function of the Project Site's underlying geologic conditions rather than the type of land use proposed. Alternative 2 would be developed within the same site as the Project and would comply with the same regulatory requirements as the Project to ensure that the soils underlying the Project Site can adequately support the proposed development. As with the Project, Alternative 2 would be designed and constructed to conform to the current seismic design provisions of the California Building Code and the City Building Code and would prepare a final, site-specific geotechnical report that would be reviewed and approved by LADBS to identify and minimize seismic risks. Furthermore, as discussed in Section IV.E, Hazards and Hazardous Materials, of the Draft EIR, the Project Site is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not exacerbate the current environmental conditions so at to create a significant hazard to the public or the environment. Like the Project, Alternative 2 would not exacerbate existing conditions. Impacts related to geology and soils under Alternative 2 would be less than significant and the same as the Project.

(iv) Greenhouse Gas Emissions

Alternative 2 would develop the same type of uses as the Project but at a reduced scale. While excavation amounts during construction of Alternative 2 are assumed to be the same as the Project, the buildable area would be smaller and the construction duration shorter than the Project. Accordingly, emissions associated with building construction and architectural coatings would be less than the Project due to the smaller scale of development and would be less than significant. As with the Project, Alternative 2 would comply with GHG-PDF-1 and GHG-PDF-2, which would provide parking facilities capable of supporting future electric vehicle supply equipment. As with the Project, Alternative 2 would comply with or exceed the plans, policies, regulations and GHG reduction actions/strategies outlined in the *Climate Change Scoping Plan*, the 2016– 2040 RTP/SCS, the LA Green Plan, and the Sustainable City pLAn to reduce GHG emissions. As such, GHG emissions under Alternative 2 would be less than significant and less than those of the Project due to the reduced scale of development under Alternative 2.

(v) Hazards and Hazardous Materials

Alternative 2 would require the same amount of excavation as the Project. Therefore, there would be the same potential to encounter and disturb petroleum-impacted soils as the Project. The same Mitigation Measure HAZ-MM-1 would also apply to Alternative 2. Therefore, impacts related to hazards and hazardous materials during construction would be reduced to less than significant with mitigation. As with the Project, operation of Alternative 2 would

involve the use and storage of small quantities of potentially hazardous materials in the form of cleaning solvents, paints, and pesticides for landscaping, hydraulic fluids for the elevators, refrigerant for the HVAC system, and petroleum products. In addition, compliance with applicable regulations related to the handling, storage, transport, and disposal of hazardous materials and waste would ensure that no significant hazard to the public or the environment occurs. Furthermore, as discussed in Section IV.E, Hazards and Hazardous Materials, of the Draft EIR, the Project Site is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not exacerbate the current environmental conditions so at to create a significant hazard to the public or the environment. Therefore, as with the Project, potential impacts related to hazards and hazardous materials during operation of Alternative 2 would be less than significant and similar to the Project.

(vi) Hydrology and Water Quality

Alternative 2 would construct a development with similar uses and a similar footprint on the Project Site. Similar to the Project, Alternative 2 would not affect the site's hydrology and/or water quality. As with the Project, Alternative 2 would comply with required and applicable regulations, including best management practices, to control erosion during excavation, and the City's Low Impact Development standards would ensure that impacts on water quality and runoff, including stormwater, would be less than significant. Therefore, like the Project, Alternative 2 would not violate water quality standards, deplete groundwater supplies, alter drainage, create runoff water, place housing in a 100-year floor hazard, expose people to flooding, or inundation by seiches, tsunami, or mudflow, and impacts would be less than significant and similar to the Project.

(vii) Land Use and Planning

Alternative 2 would develop the same uses as the Project. Alternative 2 would comply with the existing zoning for the Project Site, including the FAR of 6:1. The reduction in floor area as compared to the Project would reduce each use (residential, hotel, restaurant). Alternative 2 would not require a TFAR. However, it would still require Site Plan Review, master conditional use permit for alcohol, possible Director's Determination for open space reduction, possible ZAA adjustments to waive transitional height, a vesting tentative tract map, concurrent consideration of entitlements, certification of an EIR, and any other discretionary and ministerial permits and approval deemed necessary. Since Alternative 2 would comply with the permitted land use and existing zoning requirements, it would also be generally consistent with the overall intent of the applicable goals, policies, and objectives in local and regional plans that govern development on the Project Site, including SCAG's regional plans, the City's General Plan, the Community Plan, the Design Guidelines, and the LAMC. Therefore, like the Project, impacts related to land use consistency under Alternative 2 would be less than significant.

Alternative 2 would develop the same uses as the Project. Therefore, like the Project, the proposed uses under Alternative 2 would be compatible with and complement existing and future development in the Project area, including adjacent uses. The requested discretionary actions do not conflict with urban land uses in the area, and Alternative 2 would not introduce new incompatible uses including residential, commercial and hotel. The surrounding area is characterized by a mix of commercial, office, restaurant, and residential uses. By developing a vacant lot with a mixed-use development, Alternative 2 would located a mixed-use development adjacent to transit, commercial, and office uses. Like the Project, Alternative 2

is consistent with SCAG's RTP/SCS, the City's General Plan, the Community Plan goals, objectives and policies related to commercial use and urban design guidelines, to the extent feasible and applicable. In addition, as with the Project, Alternative 2 would not physically divide an established community. As such, like the Project, impacts with respect to land use compatibility would be less than significant.

At the same time, Alternative 2 would not satisfy the land use and planning policies described above to the same extent as the Project. Each aspect of the Project, including residential, hotel and restaurant, would be reduced, thereby minimizing the Project's contributions to meeting the land use goals of the area.

(viii) Noise

As the size of the structure would be reduced under Alternative 2 compared to the Project, the Alternative 2 overall construction period would be reduced by approximately 360 days as compared to the Project construction period. However, construction activities during maximum activity days would be similar in scale to the Project. Construction hours would be the same and thus no change in the daily noise levels. On-site construction activities during maximum activity days under Alternative 2 would generate on-site noise levels that are the same compared to the Project and would exceed the L.A. CEQA Thresholds Guide's 5 dBA construction noise increase threshold at the Metropolitan Residences receptor. Construction activities require the use of numerous noise-generating equipment, ranging from heavy excavation vehicles to pneumatic or electric hand tools.

Impacts are based on maximum activity days and, as such, although the duration of construction would be shorter, Alternative 2 on-site daily noise impacts compared to the Project would be the same. However, the on-site noise levels generated by this Alternative would be experienced throughout a shorter construction period compared to that of the Project. Alternative 2 would implement the same Project design features as the Project to reduce noise levels during construction and would be required to incorporate the Project's mitigation measures that would reduce impacts from on-site construction noise (Mitigation Measures NOI-MM-1 through NOI-MM-7). Like the Project, Alternative 2 would result in significant and unavoidable impacts with respect to on-site noise related to human annoyance during construction. Therefore, like the Project, Alternative 2's construction noise impact would also be significant and unavoidable. However, such impacts would be less than the Project due to the reduction in the overall duration of construction. Offsite construction noise and vibration levels associated with construction traffic trips under Alternative 2 would also be similar to the Project and would be less than significant.

Although Alternative 2 is reduced in size compared to the Project, it would require the same excavation and grading construction phases that would utilize the same vibration-generating equipment as the Project – excavators, scrapers, graders, auger drills, and haul trucks. Although Alternative 2 would contain fewer stories and height, its ground level setback to nearby buildings would be the same as the Project's. As with the Project, Mitigation Measures NOI- MM-8 and NOI-MM-9 would reduce the vibration sources and implement a comprehensive monitoring program for the identified receptors. These measures would substantially reduce the potential for the Project's construction-related vibrations to damage these receptors. Therefore, like the Project, with these measures in place, construction vibration impact to building damage would be considered less than significant. However, although NOI-MM-9 would reduce vibration during ground-disturbing activities, the reduction would not be sufficient to bring the vibration levels below the significance thresholds, and, as such, Alternative 2's potential on- and off-site construction vibration impacts with respect to human annoyance would be considered significant and unavoidable, same as the Project.

Operational noise sources, including on-site stationary noise sources, (e.g., HVAC and

mechanical equipment use), outdoor activities (e.g., use of open space and parking facilities), and loading dock and trash collection areas would be the same for Alternative 2 and the Project. The reduction in square footage and building height would not change the general location and corresponding noise levels generated by on-site stationary sources. Thus, Alternative 2 impacts would be similar to those of the Project. With regard to off-site noise sources, off-site mobile (roadway traffic) noise sources, Alternative 2 would result in a reduction in daily trips compared to the Project. Alternative 2 would generate 1,148 net new daily trips, a reduction of 1,661 daily trips compared to the Project. As such, noise associated with off-site traffic would be less than significant and less than the less than significant impacts of the Project. Operational noise impacts would be less than significant, and due to the fewer residents onsite, less than the Project's.

Like the Project, during operation of Alternative 2, there would be no significant stationary sources of ground-borne vibration, such as heavy equipment or industrial operations. Minimal levels of operational ground-borne vibration in the vicinity would be generated by the related vehicle travel on local roadways under Alternative 2. However, as identified in Section IV.H, Noise, of this Draft EIR, most vibrations from road vehicles are below 65 VdB and imperceptible. Therefore, like the Project, the long-term vibration impacts under Alternative 2 would be considered less than significant.

(ix) Population and Housing

As discussed in Section IV.I, Population, Housing, and Employment, of the Draft EIR, construction-related jobs resulting from the development of the Project Site are not expected to result in any substantial population growth in the area. Construction workers would likely be supplied from the region's labor pool. As such, construction workers would not likely relocate their household as a consequence of working on Alternative 2. Thus, like the Project, there would not be any significant population, housing, or employment impacts related to growth in the SCAG Region or the City of Los Angeles. Similar to the Project, Alternative 2 construction-related impacts related to population, housing, and employment would be less than significant.

Population generation is shown in Table VI-6 of the Draft EIR and employee generation is shown in Table VI-7 of the Draft EIR. It is estimated that Alternative 2 would generate approximately 32 residents and approximately 89 employees (in total; this number on-site at any given time would be reduced per shifts and other operational needs). Alternative 2 would generate fewer residents than the Project and fewer employees. The number of residents and housing units associated with Alternative 2 would be within SCAG, the Community Plan, and Housing Element projections and Alternative 2 would not result in a substantial increase in population, housing units, or employment. Therefore, like the Project, population, housing, and employment impacts under Alternative 2 would be less than significant.

(x) Public Services

Like the Project, Alternative 2 would implement a Construction Management Plan (TRANS-PDF-1) to ensure that adequate and safe access remains available within and near the Project Site during construction activities. Therefore, like the Project, construction-related impacts related to fire protection services under Alternative 2 would be less than significant, and due to the shorter construction period, less than the Project's. Like the Project, Alternative 2 would not exceed LAFD's response distance threshold, would meet the fire flow and emergency access requirements, and is consistent with all applicable plans, policies, and programs. Similar to the Project, Alternative 2 would comply with Los Angeles Building and Fire Code requirements, LADOT, and LADBS requirements. Like the Project, operation would not require the addition of a new fire station or the expansion, consolidation, or relocation of an existing

facility, the construction of which would cause significant environmental effects in order to maintain acceptable levels of service. Therefore, operation-related impacts related to fire protection services under Alternative 2 would be less than significant, and due to the fewer residents onsite, less than the Project.

As with the Project, Alternative 2 would implement Project Design Feature PUB-PDF-1, and temporary fencing would be installed to prevent public entry and theft. A Construction Management Plan (TRANS-PDF-1) would be implemented during construction. Therefore, construction of Alternative 2 would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain LAPD's capability to serve the Project Site. Like the Project, Alternative 2 is not anticipated to generate a demand for additional police protection services that could exceed the LAPD's capacity to serve the Project Site. Therefore, like the Project, impacts related to police protection services under Alternative 2 would be less than significant, and due to the fewer residents onsite, less than the Project's.

As with the Project, pursuant to SB 50, the Project Applicant would be required to pay development fees for schools to the LAUSD prior to the issuance of the building permit. Like to the Project, the payment of these fees is considered full and complete mitigation of school impacts under Alternative 2. Therefore, payment of the applicable development school fees to the LAUSD would offset the potential impact of additional student enrollment at schools serving the Project Site. Accordingly, like the Project, with adherence to existing regulations, impacts on schools under Alternative 2 would be less than significant.

Similar to the Project, the addition of 32 new residents would increase the Project Site's demand for park and recreation facilities in the Project Area. Alternative 2 would meet the applicable requirements set forth in Sections 12.21, 17.12, 12.33, and 21.10.3(a)(1) of the LAMC regarding the provision of useable open space and the dedication of parkland or the payment of in-lieu fees. Alternative 2 would not meet the parkland provision goals set forth in the Public Recreation Plan and would be required to pay in lieu fees. Implementation of existing regulatory requirements would ensure that the intent of the Public Recreation Plan's parkland guidelines would be met through compliance with State law as enforced through the applicable LAMC requirements referenced above related to the provision and/or funding of parks and recreational spaces. Such requirements include the provision of on-site open space, payment of the Dwelling Unit Construction Tax, and compliance with the City's Quimby Ordinance requirements. Therefore, like the Project, impacts to parks and recreational facilities would be less than significant, and due to the fewer residents onsite, less than the Project's.

Although Alternative 2 would increase the demand for library services through its residential population, it would do so to a lesser extent than the Project. No new libraries are planned in the area. As with the Project, Alternative 2 would not result in the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts. Similar to the Project, Alternative 2 would implement the LAPL recommended fee of $200 per capita based upon the projected population of the Project, which would be applied towards staff, books, computers, and other library materials. This would be applied as a Condition of Approval on the Project and impacts on library services would be less than significant, and due to the fewer residents onsite, less than the Project's.

(xi) Transportation

Since Alternative 2 would construct a smaller building, it is assumed that construction workers, vehicles, and equipment inventory is reduced. As with the Project, all roadways and driveways

intersect at right angles, and street trees and other potential impediments to adequate driver and pedestrian visibility would be minimal. Therefore, like the Project, impacts to pedestrian facilities would be less than significant. Alternative 2 would result in a less than significant traffic impact during construction and less than the less than significant impacts of the Project due to the reduction in the overall duration of construction.

Like the Project, impacts to at all study intersections under Existing and Future with Project Conditions under Alternative 2 would be less than significant, and less than the Project's less than significant impacts due to the reduction in trips compared to the Project. As with the Project, Alternative 2 would add fewer than 150 peak hour trips in each direction during both the AM and PM peak hours at the three mainline freeway monitoring locations nearest the Project Study Area. Therefore, like the Project, CMP mainline freeway impacts under Alternative 2 would be less than significant. Alternative 2 would have the same access points as the Project and would not cause inadequate emergency access. Like the Project, impacts to Project Site access under Alternative 2 would be less than significant.

(xii)Tribal Cultural Resources

Alternative 2 would require the same amount of excavation and be located at the same site as the Project. Like the Project, Alternative 2 would not cause a substantial adverse change in the significance of a tribal cultural resource, and, as such, impacts to tribal cultural resources would be less than significant. However, as with the Project, while this alternative would not adversely affect known tribal cultural resources, Alternative 2 would be subject to the City's standard condition of approval to address the inadvertent discovery of tribal cultural resources.

(xiii) Utilities

As with the Project, Alternative 2 would not, result in a determination by the wastewater treatment provider that serves or may serve the Project that it does not have adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments. Alternative 2's wastewater flow would not exceed wastewater treatment requirements of the LARWQCB. Thus, impacts with regards to wastewater generation and infrastructure capacity would be less than significant and less than those of the Project, due to the fewer residents onsite.

The estimated water demand for Alternative 2 would not exceed the available supplies projected by LADWP. Thus, as with the Project, LADWP would be able to meet the water demand, as well as the existing and planned future water demands of its service area. Therefore, operation-related impacts on water supply would be less than significant under Alternative 2 and less than those of the Project, due to the fewer residents onsite.

Alternative 2 would generate less total solid waste per year than the Project due to the reduction in uses compared to the Project. The increase in solid waste disposal would represent an approximate 0.002 percent increase in the City's annual solid waste disposal quantity, based on the 2017 disposal of approximately 3.2 million tons. Thus, solid waste generated would result in a less than significant impact, and due to the fewer residents onsite, less than the Project's.

Alternative 2 would construct a smaller building compared with the Project. As such, Alternative 2 would demand less electricity and natural gas. During construction, energy would be consumed in the form of electricity associated with the conveyance of water used for dust control and, on a limited basis, powering lights, electronic equipment, or other construction activities necessitating electrical power. Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas.

Construction would also consume energy in the form of petroleum-based fuels associated with the use of off-road construction vehicles and equipment on the Project Site, construction worker travel to and from the Project Site, and delivery and haul truck trips (e.g., hauling of demolition material to off-site reuse and disposal facilities). As such, impacts related to energy conservation would be less than significant and less than those of the Project, due to the fewer residents onsite.

12. Finding

Alternative 2 will reduce some of the environmental impacts projected to occur from the development of the Project. However, none of the potential significant and unavoidable impacts related to on-site construction noise and vibration will be avoided. Therefore, Alternative 2 will be an environmentally superior alternative to the Project only in a limited manner, and not in all regards, and will result the same significant and unavoidable impacts that occur under the Project. The Reduced Zoning Alternative meets most of the basic objectives of the Project, but not to the same extent as the Project. The City further finds that, pursuant to Public Resources Code Section 21081(a)(3), specific economic, legal, environmental, social, and technological or other considerations of importance to the City, including the provision of employment opportunities for highly trained workers and the considerations identified in Section XII of these Findings (Statement of Overriding Considerations) warrant rejection of Alternative 2.

13. Rationale for Finding

Alternative 2 meets most of the Project objectives, but to a far lesser extent than the Project. Specifically, Alternative 2 would not maximize uses at the Site envisioned for Downtown, which can be accomplished by the TFAR process that the City has established. In addition, due to the reduced height, the building would not be as distinguishable in the surrounding area.

The reduction in residential density, hotel rooms, and uses as compared to the Project means that Alternative 2 is not a feasible high-quality mixed-use development. While Alternative 2 complies with current zoning, density in the downtown area is increasing with the construction of approved projects as well as the proposal of new projects (see for example Park 5th and the Angels Landing site). The Project would be consistent with the vision included in the Central City Community Plan Update and direction from the State regarding land use and transportation to place high density mixed-use projects near transit facilities like the Metro Red and Purple lines.

Alternative 2 would develop the site and provide a mix of uses near transit, but to a lesser extent than the Project. Alternative 2 would provide housing, but to a lesser extent than the Project. Alternative 2 would revitalize the Historic Core and would contain new uses, but to a lesser extent than the Project. Alternative 2 would develop a vacant parcel but would not develop an architecturally distinguished building due to the reduction in height. It would not connect to the Pershing Square building and would not be distinguishable among the downtown skyline.

14. Reference

For a complete discussion of impacts associated with Alternative 2, see Section VI, Alternatives, of the Draft EIR.

15. Alternative 3 Project with Expanded Daily Construction Hours

Alternative 3 would include the same uses as the Project. This includes 31 residential units, 190 hotel rooms, 6,119 square feet of meeting space, and 29,232 square feet of restaurant and bar use. Alternative 3 would have the same parking layout with below-grade levels access via elevator lifts. The circulation and drop-off areas would be the same as the Project, including landscaping along pedestrian walkways into the Site from 5th Street. Parking and bike parking would be

provided per Code requirements. Some residential units would have private cantilevered pools. Alternative 3 would also connect to the Pershing Square Building on the top of the podium and level 13 (same as the Project). The same sustainability and conservation features of the Project would apply to Alternative 3.

Alternative 3 would allow for an expanded daily construction schedule, compared to the Project construction schedule. The expanded daily construction schedule would comply with the LAMC Section 41.40 and would shorten the overall construction schedule. Under Alternative 3, construction activities, including trucks would operate from 7 AM to 9 PM on weekdays and 8 AM to 6 PM on Saturdays. No construction would be permitted on Sundays or holidays. Table VI-18 of the Draft EIR provides a breakdown of the expanded Alternative 3 construction schedule. The Alternative 3 construction schedule would result in construction for 511 days, which is 339 days less than the Project, which is scheduled for 850 days. While Alternative 3 would require fewer construction days than the Project, and thus fewer days that could result in significant and unavoidable impacts, the amount of construction during that timeframe would be intensified, and thus risk a greater proportion of construction days with significant and unavoidable construction noise and vibration (human annoyance) impacts.

16. Impact Summary

(i) Air Quality

As with the Project, construction of Alternative 3 has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the Project Site (refer to Table VI-19 of the Draft EIR, corrected in Table 1 of the Final EIR). In addition, fugitive dust emissions would result from excavation and construction activities. Construction excavation, buildable area, and construction equipment inventory would be the same as the Project for purposes of a comparison (albeit Alternative 3 would have a 40 percent shorter schedule than the Project). Because maximum daily conditions are used for measuring significance for regional and local emissions, the less than significant daily impacts would be the same for the Project and Alternative 3. The analysis assumes 14 hours of daily operation for all equipment using the default load factors in the model, except for equipment during the grading phase, which assumes 11 hours per day. Thus, this table represents worst-case usage assumptions that are generally not commonplace in standard construction practice. Like the Project, Alternative 3 would not include those land uses that are known to generate acutely and chronically hazardous TACs, such as industrial manufacturing processes and automotive repair facilities. Thus, impacts related to TACs under this alternative would be less than significant.

The projected population increase (76 residents) associated with the Project would occur under Alternative 3. The projected population growth was anticipated and considered by SCQMD in the AQMP, and thus Alternative 3 would not conflict with or obstruct implementation of the AQMP. Impacts would be less than significant and the same under Alternative 3 and the Project. Operational impacts associated with Alternative 3 would be the same as the Project's. Because the localized impacts analysis from onsite operational activities and the localized CO hotspot analysis associated with offsite operational activities for the Project did not result in any significant impacts, localized impacts under Alternative 3 would be less than significant and the same for the Project.

(ii) Cultural Resources

As Alternative 3 would permit construction of the exact same building as proposed under the Project and thus, the construction activities would be the same; the potential significant impacts, associated with construction of the Project, to the surrounding historic resources identified in Section IV.B-33, specifically the Pershing Square Building and the Metropolitan Building, would

occur prior to mitigation. Mitigation Measure CUL-MM-1 would also be implemented under Alternative 3. Therefore, like the Project, impacts to adjacent historic resources during construction of Alternative 3 would be reduced to less than significant with mitigation.

Construction of Alternative 3 would require excavation to a depth of 46 feet to accommodate the two levels of subterranean parking. Similar to the Project, if any archaeological resources were discovered during excavation activities, work in the area would stop and deposits would be treated in accordance with federal and state regulatory requirements. Additionally, under Alternative 3 and similar to the Project, CUL-PDF-1 would be implemented and would ensure that any potential archaeological resources are protected. Construction of Alternative 3 and the Project would result in the same and less than significant impacts to archaeological resources.

As stated above, Alternative 3 would excavate to the same depth as the Project. Potential impacts to paleontological resources would be the same under Alternative 3 and the Project. Mitigation Measure CUL-MM-2 would be implemented under both scenarios and impacts would be the same under Alternative 3 and the Project.

(iii) Geology and Soils

Impacts related to site-specific geologic hazards, including fault rupture, strong seismic shaking, liquefaction, seismically induced settlement, subsidence, soil stability, and expansive and corrosive soils would be similar to those under the Project because such impacts are a function of the Project Site's underlying geologic conditions rather than the type of land use proposed. Alternative 3 would be developed on the same site as the Project, and would comply with the same regulatory requirements as the Project to ensure that the soils underlying the Project Site can adequately support the proposed development. As with the Project, Alternative 3 would be designed and constructed to conform to the current seismic design provisions of the California Building Code and the LABC, and would prepare of a final, site-specific geotechnical report that would be reviewed and approved by LADBS, to identify and minimize seismic risks. Like the Project, Alternative 3 would not exacerbate existing conditions. Under Alternative 3, impacts related to geology and soils would be less than significant and the same as the Project.

(iv) Greenhouse Gas Emissions

Alternative 3 would develop the same uses and program as the Project. Because of Alternative 3's similar footprint and scale of development as the Project, construction emissions would be the same as the Project for purposes of a comparison. Like the Project, Alternative 3 would comply with GHG-PDF-1 and GHG-PDF-2, which would provide parking facilities capable of supporting future electric vehicle supply equipment. Alternative 3 would comply with the plans, policies, regulations and GHG reduction actions/strategies outlined in the Climate Change Scoping Plan, the 2016–2040 RTP/SCS, the LA Green Plan, and the Sustainable City pLAn. In addition, consistency with the plans, policies, regulations and GHG reduction actions/strategies would serve to reduce GHG emissions for Alternative 3. Alternative 3's contribution to cumulative GHG emissions impacts would be less than cumulatively significant. Under Alternative 3 impacts would be less than significant and the same as the Project.

(v) Hazards and Hazardous Materials

As discussed in Section of IV.E, of the Draft EIR, Project construction would not create a significant hazard to the public or the environment through the use of hazardous materials, and impacts associated with the use and storage of hazardous materials during construction would be less than significant. Construction of Alternative 3 would result in less than significant impacts, and be the same as the Project. With implementation of Mitigation Measure HAZ-MM-1, impacts associated with the transport and disposal of hazardous materials (i.e., contaminated soils) during construction would be reduced to a less-than-significant level and would not create a significant

hazard to the public or the environment through the transport and disposal of hazardous materials. Alternative 3 would implement HAZ-MM-1 and impacts would be less than significant, and be the same as the Project.

Similar to the Project, Alternative 3 would comply with applicable City, state, and federal regulations related to the handling, storage, transport, and disposal of hazardous materials and waste during operation of the Project would ensure that no significant hazard to the public or the environment occurs. Therefore, impacts related to the use of hazardous materials during operation would be less than significant and the same under Alternative 3 and the Project. Alternative 3 and/or the Project would not emit hazardous emissions or handle hazardous materials or acutely hazardous materials, substances, or waste within 0.25 mile of an existing school, and construction impacts related to the use of hazardous materials within 0.25 mile of a school would be less than significant and the same as the Project.

(vi) Hydrology and Water Quality

As with the Project, Alternative 3 would comply with required and applicable regulations, including best management practices to control erosion during excavation and the City's Low Impact Development standards to ensure that impacts on water quality and runoff, including stormwater, would be less than significant. Therefore, Alternative 3 and the Project would not violate water quality standards, deplete groundwater supplies, alter drainage, create runoff water, place housing in a 100-year floor hazard, expose people to flooding, or inundation by seiches, tsunami, or mudflow. Impacts related to hydrology and water quality would be less than significant under Alternative 3 and the same under the Project.

(vii) Land Use and Planning

Like the Project, Alternative 3 would require a master conditional use permits for alcohol, Site Plan Review, a transfer of floor area, possible Director's Determination for open space reduction, possible ZAA adjustments to waive transitional height, a vesting tentative tract map, concurrent consideration of entitlements, certification of an EIR, and any other discretionary and ministerial permits and approval deemed necessary. Alternative 3 would comply with the permitted land uses. It would however be generally consistent with the overall intent of the applicable goals, policies, and objectives in local and regional plans that govern development on the Project Site, including SCAG's regional plans, the City's General Plan, the Community Plan, the Design Guidelines, and the LAMC. Therefore, impacts related to land use consistency would be less than significant and would be the same as the Project.

The proposed uses under Alternative 3 would be compatible with, and would complement existing and future development in the Project area. Alternative 3 would increase residential uses at the Site, and would provide greater density near transit services, including existing bus lines. In addition, Alternative 3 would be consistent with existing adjacent residential uses. The requested discretionary actions do not conflict with urban land uses in the area, and Alternative 3 would not introduce a new incompatible use. The surrounding area is characterized by a mix of commercial, office, restaurant, and residential uses. By developing a vacant lot into a mixed-use development, the Alternative 3 would combine these uses at one site. Like the Project, Alternative 3 is consistent with SCAG's RTP/SCS, the City's General Plan, the Community Plan goals, objectives and policies related to commercial use and urban design guidelines, to the extent feasible and applicable. Alternative 3 would increase pedestrian connectivity at the street level. For these reasons, impacts with respect to land use compatibility would be less than significant and the same for Alternative 3 and the Project.

(viii) Noise

Alternative 3 would require use of the same mix of construction equipment identified for the Project

and would therefore result in daily construction noise levels similar to those identified for the Project. While Alternative 3 would incorporate the same mitigation measures proposed for the Project, even with the incorporation of the Project's construction noise mitigation measures (NOI-MM-1 through NOI-MM-7), the construction noise impact of Alternative 3 would exceed the L.A. CEQA Thresholds Guide's 5 dBA construction noise increase threshold at the Metropolitan Residences receptor. Therefore, Alternative 3's daily on-site construction noise impact would also be significant and unavoidable and compared to the Project would be the same. Alternative 3 would require the same excavation and grading phase as the Project, which would necessitate comparable off-site hauling activity. However, the Project's construction noise impact related to hauling was found to be less than significant.

Alternative 3 would require similar excavation and grading construction phases that would utilize the same vibration-generating equipment as the Project – excavators, scrapers, graders, auger drills, and haul trucks. Alternative 3 would have the same setback to nearby buildings as the Project. Like the Project, Mitigation Measures NOI-MM-8 and NOI-MM-9 would reduce the vibration sources and implement a comprehensive monitoring program for the identified receptors. These measures would substantially reduce the potential for the Project's construction-related vibrations to damage these receptors. With these measures in place, construction vibration impact to building damage would be considered less than significant, same as the Project. While NOI-MM-9 would reduce vibration during ground-disturbing activities, the reduction would not be sufficient to bring the vibration levels below the significance thresholds, and, as such, Alternative 3's potential on- and off-site construction vibration impacts with respect to human annoyance would be considered significant and unavoidable, same as the Project.

As noted above, Alternative 3 would result in significant and unavoidable impacts related to on-site construction noise and construction vibration (human annoyance), similar to the Project. Because Alternative 3 would include expanded construction hours, the construction schedule would be shorter than the Project, and the number of days where construction could result in a significant and unavoidable impact would be less than the Project. But given the expanded construction hours, it is more likely that Alternative 3 construction activities on any given day would result in a greater level of significant and unavoidable impact than the shorter construction days of the Project.

Alternative 3 on-site noise impacts would be the same compared to those of the Project. With regard to off-site noise sources, off-site mobile (roadway traffic) noise sources, Alternative 3 would generate the same number of new daily trips as the Project (2,809 trips). Similar to the Project, impacts related to operational noise under Alternative 3 would be less than significant, due to the same uses and population on the Site. Like the Project, during operation of Alternative 3, there would be no significant stationary sources of ground-borne vibration, such as heavy equipment or industrial operations. Minimal levels of operational ground-borne vibration in the vicinity would be generated by the related vehicle travel on local roadways under Alternative 3. However, as identified in Section IV.H, Noise, of this Draft EIR, most vibrations from road vehicles are below 65 VdB and imperceptible. Therefore, like the Project, the long-term vibration impacts under Alternative 3 would be considered less than significant.

(ix) Population and Housing

As discussed in Section IV.I, of the Draft EIR, construction activities for Alternative 3 and the Project would create temporary construction-related jobs, but would not require construction works to relocate their household. Construction job opportunities created are not expected to result in any substantial population growth in the area as construction workers would likely be supplied from the region's labor pool. Thus, construction of the Project or Alternative 3 would not result in any significant population and or housing impacts related to household growth in the SCAG Region or the City of Los Angeles. Therefore, construction-related impacts related to population and housing would be less than significant and the same for the Project and Alternative 3.

Operation of Alternative 3 or Project would result in 76 residents and 272 employees. Thus, the number of residents and housing units associated with operation of Alternative 3 would be within SCAG's, the Community Plan, and Housing Element projections. Impacts associated with population, housing and employment growth during operation of Alternative 3 and the Project would be less than significant and the same.

(x) Public Services

Similar to the Project, construction activities that occur under Alternative 3 would comply with all applicable federal, state, and local requirements concerning the handling, disposal, use, storage, and management of hazardous materials. Compliance with regulatory requirements would reduce the potential for the Alternative 3 construction activities to expose people to the risk of fire related to construction activities. Therefore, construction of Alternative 3 would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain LAFD's capability to serve the Project Site. Construction impacts would be less than significant and the same under the Project and Alternative 3. Like the Project, Alternative 3 would not exceed LAFD's response distance threshold, would meet the fire flow and emergency access requirements, and is consistent with all applicable plans, policies, and programs. Therefore, operation-related impacts related to fire protection services under Alternative 3 would be less than significant and would be the same for the Project.

Like the Project, construction-related impacts related to police protection services under Alternative 3 would be less than significant, and due to the shorter construction period, less than the Project's. The demand for police protection services would be the same during operation of Alternative 3, when compared to the Project, as there would be the same residential units and non-residential uses. Alternative 3 is not anticipated to generate a demand for additional police protection services that could exceed the LAPD's capacity to serve the Project Site. Therefore, operation-related impacts related to police protection services under Alternative 3 would be less than significant.

Like the Project, impacts on school facilities during construction of Alternative 3 would be less than significant. During operation, the Project Applicant would be required to pay all school fees as directed by LAUSD, prior to issuance of a building permit, which as provided by state law, would fully mitigate any enrollment impact of Alternative 3. These fees would provide funding to ensure that adequate school capacity/construction would be available to serve the students generated by Alternative 3. Thus, operational impacts to education facilities would be fully mitigated and less than significant.

Further, impacts on parks and recreation facilities during construction of Alternative 2 would be less than significant and similar to the less than significant impacts of the Project. Alternative 3 would meet the applicable requirements set forth in LAMC Sections 12.21, 17.12, 12.33, and 21.10.3(a)(1) of the LAMC regarding the provision of useable open space and the dedication of parkland or the payment of in-lieu fees. Alternative 3 would not meet the parkland provision goals set forth in the Public Recreation Plan and would be required to pay in lieu fees. Implementation of existing regulatory requirements would ensure that the intent of the Public Recreation Plan's parkland guidelines would be met through compliance with State law as enforced through the applicable LAMC requirements referenced above related to the provision and/or funding of parks and recreational spaces. Such requirements include the provision of onsite open space, payment of the Dwelling Unit Construction Tax, and compliance with the City's Quimby Ordinance requirements. Therefore, impacts to parks and recreational facilities would be less than significant.

Also, impacts on library facilities during construction of Alternative 3 would be less than significant

and similar to the less than significant impacts of the Project. Alternative 3 would add the same number residents to the Project Site when compared to the Project Option A. No new libraries are planned in the area. Like the Project, Alternative 3 would not result in the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts. Impacts on library services would be less than significant.

(xi) Transportation

Similar construction-related impacts as the Project would occur under Alternative 3 as Alternative 3 would require the same construction activities as the Project. Thus, extending the hours per day (and reducing the overall schedule) reduces the number of trucks per hour as compared to the Project, and impacts would be less than significant, same as the Project. Construction activities are expected to, on occasion, temporarily require additional space beyond the Project Site to stage equipment and construct safety measures. The bus stop on the north side of 5th Street near Broadway (Metro lines 55/355, Rapid 720) will need to be relocated during construction for the safety of passengers. Relocation will be done in coordination with LADOT and Metro, according to the established protocol. Project Design Feature TRANS-PDF-2 would ensure continued bus service in the case of any temporary sidewalk closures or bus stop relocation and impacts would be less than significant, same as the Project. As with the Project, Project Design Feature TRANS-PDF-3 would provide adequate protection to existing pedestrian facilities, such as sidewalks around the Project Site. As with the Project, all roadways and driveways intersect at right angles, and street trees and other potential impediments to adequate driver and pedestrian visibility would be minimal. Therefore, like the Project, impacts to pedestrian facilities would be less than significant.
As operation of Alternative 3 would result in the same trip generation, distribution pattern, and future year as the Project, the same LOS results would occur. Alternative 3 would have the same access points as the Project and would not cause inadequate emergency access. Therefore, impacts would be less than significant, same as the Project. Like the Project, TRANS-PDF-3 would provide adequate protections to existing pedestrian facilities such as sidewalks around the Site. All roadways and driveways intersect at right angles and street trees and other potential impediments to adequate driver and pedestrian visibility would be minimal. Therefore, impacts to pedestrian facilities would be less than significant, same as the Project.

(xii) Tribal Cultural Resources

Alternative 3 would include the same amount of excavation and be located at the same site as the Project. Like the Project, Alternative 3 would not cause a substantial adverse change in the significance of a tribal cultural resource, and, as such, impacts to tribal cultural resources would be less than significant. However, as with the Project, while this Alternative would not adversely affect known tribal cultural resources, Alternative 3 would be subject to the City's standard condition of approval to address the inadvertent discovery of tribal cultural resources.

(xiii) Utilities

Like the Project, Alternative 3 would not result in a determination by the wastewater treatment provider that serves or may serve the Project that it does not have adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments. Alternative 3's wastewater flow would not exceed wastewater treatment requirements of the LARWQCB. Thus, impacts with regards to wastewater generation and infrastructure capacity would be less than significant, same as the Project. Further, the estimated water demand for Alternative 3 would not exceed the available supplies projected by LADWP. Thus, LADWP would be able to meet the water demand, as well as the existing and planned future water demands of its service area. Therefore, operation-related impacts on water supply would be less than significant, same as the Project. Also, like the Project, Alternative 3 would generate a net total of approximately 889 tons

per year of solid waste. Thus, solid waste generated would result in a less than significant impact, same as the Project.

Alternative 3 would construct the same building and the same uses as the Project. As such, impacts related to energy conservation would be less than significant and same as those of the Project.

17. Findings

Alternative 3 would result in the same environmental impacts projected to occur from the development of the Project. However, none of the potential significant and unavoidable impacts related to on-site construction noise and vibration will be avoided. Therefore, Alternative 3 will be an environmentally superior alternative to the Project only in a limited manner, (as the overall construction period would be reduced) and not in all regards, and will result the same significant and unavoidable impacts that occur under the Project. Alternative 3 meets the basic objectives of the Project. The City further finds that, pursuant to Public Resources Code Section 21081(a)(3), specific economic, legal, environmental, social, and technological or other considerations of importance to the City, including the provision of employment opportunities for highly trained workers and the considerations identified in Section XII of these Findings (Statement of Overriding Considerations) warrant rejection of Alternative 3.

18. Rationale for Finding

Alternative 3 meets all of the project objectives. Alternative 3 would include restaurant/bar uses and therefore would be a mixed-use development. Alternative 3 would maximize the uses at the Site, and provide an urban infill project adjacent to the Metro Red Line Station. Alternative 3 would provide housing in a variety of types, same as the Project. Alternative 3 would develop the site by removing a vacant parcel, which would activate the street. Alternative 3 would connect to the Pershing Square Building.

But Alternative 3 would not avoid any of the significant and unavoidable impacts identified above for the Project. At the same time, Alternative 3 would be developed under an expanded daily construction schedule that could undermine the economic benefits of developing the Project. As such, it would be more likely that any given day of the construction schedule for Alternative 3 would result in significant and unavoidable impacts related to construction noise and construction vibration (human annoyance), but the overall number of days where Alternative 3 construction could result in a significant and unavoidable impact would be less than the Project.

19. Reference

For a complete discussion of impacts associated with Alternative 3, see Section VI, Alternatives, of the Draft EIR and Section III Revisions, Clarification and Corrections of the Final EIR.

20. Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the Environmentally Superior Alternative, the EIR shall identify another Environmentally Superior Alternative among the remaining alternatives. An environmentally superior alternative is an alternative to a project that would reduce and/or eliminate the significant, unavoidable environmental impacts associated with the project without creating other significant impacts and without substantially reducing and/or eliminating the environmental benefits attributable to the project.

Based on the analysis presented in this section, Alternative 1 (No Project Alternative) would result

in the greatest reduction in Project significant impacts and would be the environmentally superior alternative. However, CEQA also requires that if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives (CEQA Guidelines Section 15126.6(e)(2)).

As shown in Table IV-2 of the Draft EIR, impact conclusions under the Project would be similar to the development alternatives presented, with implementation of the same mitigation measures and project design features, as identified in this Draft EIR for the Project. Accordingly, Alternative 2 (Existing Zoning Alternative) was selected as the environmentally superior alternative because it would reduce the amount of construction and operational emissions due to the reduced building size and reduced program. However, Alternative 2 would only partially meet the Project Objectives and would meet those objectives to a lesser degree as compared to the Project.

X. OTHER CEQA FINDINGS

1. Summary of Significant and Unavoidable Impacts

Pursuant to Section 15126.2(b) of the CEQA Guidelines, the City finds that the Project would result in significant and unavoidable environmental impacts with respect to project level and cumulative construction noise and construction vibration (human annoyance).

Mitigated noise levels associated with construction activities were estimated for the structural phase of construction, which would include multi-story construction activity. The Project would be required to comply with the Mitigation Measures NOI-MM-1 through NOI-MM-7, which are feasible measures to control noise levels, including engine mufflers and noise blanket barriers. These would reduce noise levels associated with individual pieces of equipment and combined construction noise levels. There are no additional feasible mitigation measures to substantially reduce construction noise. The Metropolitan Residences would still experience an increase of 5.6 dBA, thereby exceeding the 5 dBA noise increase threshold. Therefore, the Project's construction noise impact would be considered significant and unavoidable.

Modeled vibration sources include on-site auger drill rigs and large dozer-type equipment, as well as haul trucks that would travel on nearby roadways. As shown, on-site vibration generated by auger drill rigs and large-dozer type equipment would exceed the criteria for human annoyance at the Pershing Square Building, Silver City Jewelry, 438 Hill Street, Metropolitan Building, and 445 Broadway. The Project would be required to comply with the Mitigation Measures NOI-MM-8 and NOI- MM-9, which would reduce the Project's vibration sources and implement a comprehensive monitoring program for the identified receptors. These measures would substantially reduce the potential for the Project's construction-related vibrations to damage these receptors. Loaded delivery vehicles and haul trucks would pass numerous roadside buildings when accessing or leaving the Project Site. As shown, receptors within 40 feet of roadways utilized by Project trucks could experience vibration levels in excess of 85 VdB. Residential uses within 110 feet of such roadways could experience vibration levels in excess of the FTA's 72-VdB criterion for these uses. Vibration impacts from on-site construction activities and construction trucks traveling along the anticipated haul routes would be significant with respect to human annoyance.

2. Significant Irreversible Environmental Changes

Pursuant to section 15126.2(c) of the CEQA Guidelines, the City considered the potential significant irreversible environmental changes that could result from the Project. The Project would necessarily consume a limited amount of slowly renewable and nonrenewable resources that could result in irreversible environmental changes. This consumption would occur during construction of the Project and would continue throughout its operational lifetime.

The development of the Project would require a commitment of resources that would include:

(1) building materials and associated solid waste disposal effects on landfills; (2) water; and (3) energy resources (e.g., fossil fuels) for electricity, natural gas, and transportation. The Project would consume a limited commitment of natural resources and would not result in significant irreversible environmental changes. However, the consumption of such resources would not be considered substantial and would be consistent with regional and local growth forecasts and development goals for the area. Therefore, although irreversible environmental changes would result from the Project, such changes are concluded to be less than significant.

3. Growth-Inducing Impacts

Section 15126.2(d) of the CEQA Guidelines requires that growth-inducing impacts of a project be considered in a Draft EIR. Growth-inducing impacts are characteristics of a project that could directly or indirectly foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. According to the CEQA Guidelines, such projects include those that would remove obstacles to population growth (e.g., a major expansion of a wastewater treatment plant that, for example, may allow for more construction in service areas). In addition, as set forth in the CEQA Guidelines, increases in the population may tax existing community service facilities, thus requiring construction of new facilities that could cause significant environmental effects. The CEQA Guidelines also require a discussion of the characteristics of projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. Finally, the CEQA Guidelines also state that it must not be assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment.

Overall, the Project would be consistent with the growth forecast for the City of Los Angeles Sub-region and would be consistent with regional policies to reduce urban sprawl, efficiently utilize existing infrastructure, reduce regional congestion, and improve air quality through the reduction of vehicle miles traveled. In addition, the Project would not require any major roadway improvements nor would the Project open any large undeveloped areas for new use. Any access improvements would be limited to driveways necessary to provide immediate access to the Project Site and to improve safety and walkability. Therefore, direct and indirect growth-inducing impacts would be less than significant.

4. Effects Found Not to be Significant

Section 15128 of the CEQA Guidelines states that an EIR shall contain a brief statement indicating reasons that various possible significant effects of a Project were determined not to be significant and not discussed in detail in the EIR. An Initial Study was prepared for the Project and is included in Appendix A-1 of the Draft EIR. The Initial Study provides a detailed discussion of the potential environmental impact areas and the reasons that each environmental area is or is not analyzed further in the Draft EIR. The City of Los Angeles determined through the Initial Study that the Project will not have the potential to cause significant impacts related to: aesthetics; agricultural and forest resources; objectionable odors; biological resources; human remains; rupture of a known earthquake fault, strong seismic ground shaking, liquefaction, landslides, erosion; and the ability of soils to support the use of septic tanks; location of a site in an airport land use plan or private airstrip and/or exposure to wildfires; placing housing or structures within a 100-year flood plain and seiche, tsunami, or mudflow events; mineral resources; division of an established community and/or habitat conservation plan or natural community conservation plan; noise-related topics including location within an airport land use plan and/or private airstrip; displacement of housing and people; change in air traffic patterns and hazardous design feature; exceed wastewater treatment requirements and/or solid waste regulations. A summary of the analysis provided in Appendix A-1 of the Draft EIR for these issue areas is provided below.

(i) Aesthetics

Enacted in 2013, SB 743 adds Public Resources Code Section 21099, which provides that "aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." As set forth in the Draft EIR, the Project is a mixed-use residential project on an infill site within a transit priority area. Therefore, the Project's aesthetic impacts, pursuant to SB 743, shall not be considered to be significant impacts. CEQA Appendix G, which includes a comprehensive list of environmental topics under CEQA, does not expressly list shade and shadow impacts. The Los Angeles CEQA Thresholds Guide, however, considers shade and shadow impacts to be a type of aesthetic visual character impact. The City has issued Zoning Information File (ZI) No. 2452, confirming that SB 743 applies to a project's aesthetic impacts, including shade and shadow impacts. Therefore, aesthetic impacts are less than significant.

(ii) Agricultural and Forestry Resources

The Project Site is currently developed with various uses, including low-density commercial/retail and office uses, residential uses, and surface parking lots. The Project site is not zoned for agricultural or forest uses, and no agricultural or forest lands occur on-Site or in the Project area. Therefore, the Initial Study concluded that no impacts related to agricultural and forestry resources will occur, and no further evaluation in an EIR is required.

(iii) Air Quality

No objectionable odors are anticipated as a result of either construction or operation of the Project. Project construction will use conventional building materials typical of construction projects of similar type and size. Any odors that may be generated during construction will be localized and temporary in nature and will not be sufficient to affect a substantial number of people or result in a nuisance as defined by SCAQMD Rule 402. The Project will not include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding, or other land uses associated with odor complaints. On-Site trash receptacles used by the Project will have the potential to create odors. As trash receptacles will be contained, located, and maintained in a manner that promotes odor control, no substantially adverse odor impacts are anticipated. Thus, the Initial Study concluded that odor impacts will be less than significant.

(iv) Biological Resources

The Project Site is located within an urbanized area and has been developed with various uses in the past. The site is currently vacant. Due to the lack of suitable habitat on-Site, the Project will not have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. No riparian or other sensitive natural community exists on the Project Site or in the surrounding area. No water bodies or federally protected wetlands as defined by Section 404 of the Clean Water Act exist on the Project Site or in the vicinity. There are no established native resident or migratory wildlife corridors on the Project Site or in the vicinity. Furthermore, no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plans apply to the Project Site. Thus, the Project will not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other related plans.

The Project would be confined to a previously developed Site and would not involve substantial changes in the existing environment. Local ordinances protecting biological resources include the City of Los Angeles Protected Tree Ordinance, as modified by Ordinance 177404. The amended Protected Tree Ordinance provides guidelines for the preservation of all Oak trees indigenous to California (excluding the Scrub Oak or *Quercus dumosa*) as well as the following tree species: Southern California Black Walnut (*Juglans californica var. californica*); Western Sycamore (*Platanus racemosa*); and California Bay (*Umbellularia californica*). There are no trees on the Site. With compliance with this existing regulatory requirement, impacts will be less than significant. Therefore, the Initial Study concluded that impacts to biological resources will be less than significant, and no further evaluation in an EIR is required.

(v) Cultural Resources

The Project Site is located in a heavily urbanized area and has been subject to previous grading and development. While the likelihood of encountering human remains on the Project Site is unlikely, if human remains are discovered during construction, such resources would be treated in accordance with State law, including CEQA Guidelines Section 15064.5, Public Resources Code Section 5097.98, and California Health and Safety Code Section 7050.5. If human remains are encountered, work on the relevant portion of the Project Site would be suspended, and the Los Angeles Department of Public Works (LADPW) as well as the County Coroner would be notified immediately. If the remains are determined by the County Coroner to be Native American, the Native American Heritage Commission (NAHC) would be notified within 24 hours, and NAHC guidelines would be adhered to in the treatment and disposition of the remains. Compliance with these regulatory standards would ensure appropriate treatment of any potential human remains unexpectedly encountered during grading and excavation activities. Therefore, the Initial Study concluded that impacts to human remains will be less than significant, and no further evaluation in an EIR is required.

(vi) Geology and Soils

The Project Site is not located in an Alquist-Priolo Fault Zone or a City-designated Fault Rupture Study Area.The Project would comply with the CGS *Special Publications 117, Guidelines for Evaluating and Mitigating Seismic Hazards in California* (1997), which provides guidance for evaluation and mitigation of earthquake-related hazards, and with seismic safety requirements in the UBC and the LAMC. There are several principal active faults in the metropolitan region. The greatest of these is the San Andreas Fault, approximately 35 miles (55 kilometers) northwest of downtown Los Angeles, on the other side of the San Gabriel Mountains. Several other important active faults lie closer to and even within the populated area of greater Los Angeles. These include the Sierra Madre fault zone, which runs through parts of Altadena and other foothills communities, the Raymond Fault in San Marino, and the Hollywood and Santa Monica Faults along the southern edge of the Hollywood Hills and Santa Monica Mountains. Furthermore, the active Puente Hills blind thrust fault is located 1.3 miles from the Site. Although the Los Angeles segment of the active Puente Hills fault lies beneath Downtown Los Angeles, it is located at a depth of approximately 4 miles according to USGS data and has no surface trace; as such, its potential for ground surface rupture is considered remote. Therefore, the Project would not expose people or structures to substantial adverse effects associated with fault rupture, and would not cause or exacerbate seismic conditions on the Project Site, resulting in a less than significant impact. Therefore, the Initial Study concluded that impacts from fault rupture will be less than significant, and no further evaluation in an EIR is required.

Although the Project Site is not within an Alquist-Priolo Zone, the Site is susceptible to ground shaking during a seismic event. The main seismic hazard affecting the Site is moderate to strong ground shaking. The Project would be designed and constructed in accordance with the City Building Code and California Building Code, which specify structural requirements for different types of buildings in a seismically active area. Additionally, the Project would adhere to the City's Department of Building and Safety recommendations. Adherence to current building codes and engineering practices would ensure that the Project would not expose people, property or infrastructure to seismically induced ground shaking hazards that are greater than the average risk associated with locations in the Southern California region. Based on the above, development of the Project would not exacerbate seismic conditions. Therefore, the Initial Study concluded that impacts related to seismic shaking will be less than significant, and no further evaluation in an EIR is required.

The Project Site is not identified by ZIMAS as being within a liquefaction zone. The City of Los Angeles Seismic Safety Element does not identify the Project Site as being within a liquefiable area. The Project would be required to comply with building regulations set forth by the State Geologist, which require site analysis prior to development. Furthermore, the Project would comply with the CGS *Special Publications 117, Guidelines for Evaluating and Mitigating Seismic Hazards in California* (1997), which provides guidance for evaluation and mitigation of earthquake-related hazards including liquefaction. Based on the above, development of the Project would not cause or exacerbate geologic hazards, including liquefaction. Therefore, the Initial Study concluded that impacts related to liquefaction will be less than significant, and no further evaluation in an EIR is required.

The Project Site is characterized by flat topography with minimal sloping terrain. The Project Site is not classified as a landslide hazard zone in the CGS Seismic Hazards Map, nor is it identified by ZIMAS as being within a landslide hazard zone. Development of the Project would not substantially alter the existing topography of the Site. Based on the above, development of the Project would not cause or exacerbate geologic hazards, including landslides. Therefore, the Initial Study concluded that impacts related to landslides will be less than significant, and no further evaluation in an EIR is required.

Implementation of the Project would require grading and excavation activities. These construction activities would disturb existing soils and could expose soils to rainfall and wind, resulting in soil erosion. Conformance with the City's Building Code (Sections 91.7000 through 91.7016), which include construction requirements for grading, excavation, and use of fill, would reduce the potential for wind or waterborne erosion. In addition, the Los Angeles Building Code requires an erosion control plan to be reviewed by the Department of Building and Safety prior to construction if grading exceeds 200 cubic yards and occurs during the rainy season (between November 1 and April 15). Compliance with the existing regulations would ensure construction impacts associated with soil erosion would be less than significant. Therefore, the Initial Study concluded that impacts related to soil erosion will be less than significant, and no further evaluation in an EIR is required.

The Project Site is located in a developed area which is served by a wastewater collection, conveyance and treatment system operated by the City. No septic tanks or alternative disposal systems are necessary, nor are proposed as part of the Project. Therefore, no impact would occur. Therefore, the Initial Study concluded that no impacts related to septic systems would occur, and no further evaluation of an EIR is required.

(vii) Hazards and Hazardous Materials

The Project Site is not located in the vicinity of a public airport or private airstrip. The Los Angeles International Airport (LAX), the closest airport to the Project Site, is located approximately 10 miles to the west. Based on the above, development of the Project would not have the potential to exacerbate current environmental conditions as to result in a safety hazard for people residing or working the Project area. Therefore, the Initial Study concluded that no impacts related to public airports and private airstrips would occur, and no further evaluation of an EIR is required.
The Project Site is not located within a designated Fire Buffer Zone or Mountain Fire District in the 1996 City of Los Angeles Safety Element. Based on the above, development of the Project would not have the potential to exacerbate existing environmental conditions so as to increase the potential to expose people or structures to significant risk of loss, injury or death involving wildland fires. Therefore, the Initial Study concluded that no impacts related to wildfires would occur, and no further evaluation of an EIR is required.

(viii) Hydrology and Water Quality

The Project Site is not located within an area identified by Federal Emergency Management Agency (FEMA) as potentially subject to 100-year floods. The Site is not located within a City-designated 100-year or 500-year flood plain or an inundation area. As the Site is located in an area of minimal flooding, the Project would not introduce people or structures to an area of high flood risk. Therefore, the Project would not contain any significant risks of flooding and would not have the potential to impede or redirect floodwater flows. Therefore, the Initial Study concluded that no impacts related to flooding would occur, and no further evaluation of an EIR is required.
The Project Site is not located in a Tsunami Hazard Area, is located at least 10 miles from the Pacific Ocean, and is not near any major water bodies. Therefore, there is no impact associated with seiches or tsunamis at the Site. In addition, the Site is in an urbanized area of the City, and is relatively flat, thereby limiting the potential for inundation by mudflow. Therefore, the Initial Study concluded that no impacts related to inundation by sieche, tsunami, or mudflow would occur and no further evaluation of an EIR is required.

(ix) Land Use and Planning

The Project Site is located in a highly urbanized area of the City and is surrounded by commercial, office, restaurant, and residential uses. The Site is currently vacant but was previously developed along 5th Street with two mixed use buildings. The buildings were severely damaged in a fire, and subsequently demolished over a decade ago. The proposed uses are consistent with the types of land uses already present or proposed in the surrounding area. As development of the Project would occur entirely within the Project Site boundaries, the Project would not physically divide, disrupt, or isolate an established community. Rather, implementation of the Project would result in further infill of an already developed community with similar and compatible land uses. Therefore, the Initial Study concluded that no impacts related to the physical division of an established community would occur and no further evaluation of an EIR is required.

The Project Site has previously developed and is located in an urbanized area. There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan that apply to the Site. Implementation of the Project would not conflict with any habitat conservation plans. Therefore, the Initial Study concluded that no impacts related to a habitat conservation plan would occur and no further evaluation of an EIR is required.

(x) Mineral Resources

The Project Site is not located within a City-designated oil field or oil drilling area, or a City-designated Mineral Resource Zone 2 Area (MRZ-2). Based on the Project Site's commercial land use and zoning designations, the City has determined there are no plans to utilize the site for long-term mineral extraction. Development of the Project would therefore not result in impacts associated with the loss or availability of a known mineral resource that would be of value to the region and the residents of the State. Therefore, the Project would have no impact with respect to loss of availability of a known regionally-important mineral resource and no further evaluation of an EIR is required.

(xi) Noise

The Project Site is not located within an airport land use plan area or within two miles of a public airport or public use airport. The Project would therefore not expose people residing or working in the project area to excessive noise levels from an airport use. No impact would occur and further evaluation of this issue is not required.

(xii) Population, Housing, and Employment

The Project would not displace any housing since there is no housing on the Site. Further, both program options include a residential component. Therefore, no impact would occur and further evaluation in an EIR is not required. As the Project Site is vacant and no housing exists on the Site, a significant impact may occur if a project would result in displacement of existing residents, necessitating the construction of replacement housing elsewhere. The Project would not displace any people or require the construction of replacement housing elsewhere. Therefore, the Project would have no impact with respect to displacement of people or housing and no further evaluation of an EIR is required.

(xiii) Transportation

The Project does not include any aviation-related uses and the Project Site is not located within an airport land use plan area or within two miles of a public airport or private use airport. Further, as the Project would extend more than 200 feet above the existing grade, in accordance with Code of Federal Regulations Title 14, Section 77.13, the Applicant would be required to submit copies of Federal Aviation Administration (FAA) Form 7460-1 to the FAA Obstruction Evaluation Service (OES). The OES would then evaluate the Project, and any OES recommendations would be incorporated into the building's design, including protocols pertaining to building markings and lighting. Implementation of required design features and lighting would ensure that impacts associated with air traffic safety would be less than significant. Therefore, the Project would have no impact with respect to changes to air traffic patterns and no further evaluation of an EIR is required.

(xiv) Utilities

The City of Los Angeles Department of Public Works provides wastewater services for the Project Site. Wastewater discharges are conveyed to the Hyperion Treatment Plant (HTP), which is a public facility and is therefore subject to the Los Angeles Regional Water Quality Control Board (LARWQCB). The HTP has a current capacity of 450 million gallons per day (mgd). The Project's introduction of new residential uses and commercial uses would comply with federal, State, and local statutes and regulations related to wastewater discharge. The Project would comply with federal, State, and local statutes and regulations related to solid waste. Therefore, the Project

would have a less than significant impact with respect to wastewater treatment and solid waste requirements and no further evaluation of an EIR is required.

XI. GENERAL FINDINGS

Pursuant to Article 7 of the CEQA Guidelines, these Findings have been prepared for the consideration and approval of the Final EIR and the analysis contained herein. The Final EIR was completed in accordance with CEQA; and the decision-making body has reviewed and considered the information contained in the Final EIR prior to the action. Since the Project will result in a significant and unavoidable impact related to on-site construction noise, on-site vibration impacts related to human annoyance, cumulative on-site construction noise, and cumulative on-site vibration impacts related to human annoyance, a Statement of Overriding Considerations will be required.

1. The City, acting through the Department of City Planning is the “Lead Agency” for the Project, evaluated the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the Project, that the Draft EIR which was circulated for public review reflected its independent judgment and that the Final EIR reflects the independent judgment of the City.

2. The EIR evaluated the following potential Project and cumulative environmental impacts: Air Quality; Cultural Resources; Geology and Soils; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Noise; Population, Housing and Employment; Public Services; Transportation; Tribal and Utilities. Additionally, the EIR considered Growth Inducing Impacts and Significant Irreversible Environmental Changes. The significant environmental impacts of the Project, a reasonable range of alternatives and feasible mitigation measures were identified in the EIR.

3. The City finds that the EIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period.

4. Textual refinements were compiled and Project refinements were made and presented to the decision-makers for review and consideration. The City staff has made every effort to notify the decision-makers and the interested public/agencies of each textual change in the various documents and each refinement to the Project associated with Project review. These textual and Project refinements occurred for a variety of reasons. First, it is inevitable that draft documents will contain errors and will require clarifications and corrections. Second, Project refinements occurred as a result of the public participation process, and textual clarifications were required in order to describe those refinements.

5. The Department of City Planning evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Department of City Planning prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned response to the comments. The Department of City Planning reviewed the comments received and responses thereto and has determined that neither the

comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.

6. The Final EIR and the changes to the Draft EIR. The Final EIR provides additional information that was not included in the Draft EIR. Having reviewed the information contained in the Draft EIR, the Final EIR, and in the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there are no new significant impacts, no substantial increases in the severity of a previously disclosed impacts, significant information in the record of proceedings or other criteria under CEQA that will require recirculation of the Draft EIR. Specifically, the City finds that:

   a. The Responses To Comments contained in the Final EIR fully considered and responded to comments claiming that the Project will have significant impacts or more severe impacts not disclosed in the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the Project will result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.
   b. The City has thoroughly reviewed the public comments received regarding the Project and the Final EIR as they relate to the Project to determine whether under the requirements of CEQA, any of the public comments provide substantial evidence that will require recirculation of the EIR prior to its adoption, and has determined that recirculation of the EIR is not required.
   c. None of the information submitted after publication of the Final EIR, including testimony at the public hearings on the Project, constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or a feasible mitigation measure or alternative not included in the Final EIR.
   d. As demonstrated in the Final EIR, the refinements to the Project following publication of the Draft EIR do not result in a new significant impact, a substantial increase in the severity of an impact disclosed in the Draft EIR, or otherwise require recirculation of the Draft EIR.

7. The mitigation measures identified for the Project were included in the Draft EIR and, as revised, in the Final EIR. As revised, the final mitigation measures for the Project are described in the Mitigation Monitoring Program (MMP). Each of the mitigation measures identified in the MMP is incorporated into the Project. The City finds that the impacts of the Project have been mitigated to the extent feasible by the mitigation measures identified in the MMP.

8. CEQA requires the Lead Agency approving a Project to adopt a MMP for the changes made to the Project or conditions of Project approval, adopted in order to mitigate or avoid significant effects on the environment, that is designed to ensure compliance

during Project implementation. The MMP includes all of the mitigation measures and Project design features adopted by the City in connection with the approval of the Project and has been designed to ensure compliance with such measures during implementation of the Project. In accordance with CEQA, the MMP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of Public Resources Code Section 21081.6, the City hereby adopts the MMP.

9. In accordance with the requirements of Public Resources Section 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the Project.

10. The custodian of the documents or other material which constitute the record of proceedings upon which the City's decision is based is the City Department of City Planning.

11. The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.

12. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the Project.

13. The EIR is a Project EIR for purposes of environmental analysis of the Project. A Project EIR examines the environmental effects of a specific Project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the Project by the City and other regulatory jurisdictions.

14. The City finds that none of the public comments to the Draft EIR or subsequent public comments or other evidence in the record, including any refinements in the Project in response to input from the community and the Council Office, includes or constitutes substantial evidence that requires recirculation of the Draft or Final EIR prior to its certification and that there is no substantial evidence elsewhere in the record of proceedings that will require substantial revision of the Draft or Final EIR prior to its certification, and that neither the Draft EIR nor the Final EIR need be recirculated prior to certification.

XII. STATEMENT OF OVERRIDING CONSIDERATIONS

The Final EIR for the Project has identified unavoidable and significant impacts that will result from implementation of the Project. Section 21081 of the Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when a public agency's decision allows the occurrence of a significant impact identified in a Final EIR, which is not substantially mitigated to an insignificant level or eliminated entirely, the lead agency must state in writing the reasons to support its action based on the completed EIR and/or other information in the record. Article I of the City of Los Angeles CEQA Guidelines incorporates all of the State CEQA Guidelines contained in title 15, California Code of Regulations, sections 15000 et seq., and hereby requires, pursuant to CEQA Guidelines Section 15093(b) that the decision-maker adopt a Statement of Overriding Considerations at the time of approval of a project if it finds that significant adverse environmental effects have been identified in the Final EIR that cannot be substantially mitigated to an insignificant level or be eliminated. These Findings and the Statement of Considerations are based on the record of proceedings, including, but not limited to, the Final EIR, and other documents and materials that constitute the record of proceedings.

Based on the analysis provided in the Final EIR, implementation of the Project would result in significant impacts that cannot be feasibly mitigated with respect to construction noise and construction vibration related to human annoyance.

Accordingly, the City adopts this Statement of Overriding Considerations. Having (i) adopted all feasible mitigation measures; (ii) determined that Alternatives 1 and 2 would not meet the Project objectives to the same degree as the Project, as discussed above in Section VII; (iii) determined that Alternative 3 would not avoid any significant and unavoidable impacts from the Project and could undermine economic considerations of the Project; (iv) recognized the significant and unavoidable impacts; and (v) balanced the benefits of the Project against its significant and unavoidable impacts, the City hereby finds that each of the benefits outweigh and override the significant unavoidable impacts for the reasons stated below.

The City further finds and determines that:

a) All significant environmental impacts that can be feasibly avoided have been eliminated, or substantially lessened through implementation of the project design features and/or mitigation measures; and

b) Based on the Final EIR, the Statement of Overriding Considerations herein, and other documents and information in the record with respect to the construction and operation of the Project, all remaining unavoidable significant impacts, as set forth in these findings, are overridden by the benefits of the project as described in the Statement of Overriding Considerations for the construction and operation of the Project and implementing actions.

The below stated reasons summarize the benefits, goals, and objectives of the Project and provide the rationale for the benefits of the Project. Each of the listed Project benefits set forth in this Statement of Overriding Considerations provides a separate and independent ground for the City's decision to approve the Project despite the Project's identified significant and unavoidable environmental impacts.

1. Location of a high-density mixed-use development on a vacant site in a transit priority area that is adjacent to the Metro Red/Purple Line Pershing Square Light Rail Station and several Metro and DASH bus lines.

2. Development of new residential units that contribute to the Mayor's housing goal of building 100,000 new housing units by 2021, as well as the policies of SCAG's 2016-2040 RTP/SCS and the City's General Plan Framework, Health and Wellness, and Housing Elements.

3. Promoting and supporting community interaction on and around the Project Site for residents, workers, and visitors through the introduction of new amenities.

4. Furthering the growth of the City's economic base through the introduction of an economically viable project that includes revenue generating commercial activities, tax revenues, and other fiscal benefits for the community.

5. Supporting the revitalization of the Historic Core by contributing to the active downtown environment through the addition of residences, restaurants, and bars.

6. Development of an architecturally recognizable building that furthers the development

of downtown Los Angeles and is easily accessible by public transit to both local residents and visitors of the city.

7. Development of different types of new housing units, including a variety of floor plan layouts and bedroom types, condominium units to help meet the demand for high-density housing for Downtown employees in the Central City Community Plan Area (Objective 1-2).

PUBLIC HEARING AND COMMUNICATIONS

A joint public hearing conducted by the Hearing Officer and Deputy Advisory Agency on this matter, in conjunction with Case No. VTT-74593, was held in Room 1070, City Hall on Wednesday May 8, 2019 at 9:30 a.m. In attendance where the Project Applicant and Representative, and members of the public.

Summary of Public Hearing and Communications

The Project Applicant presented the Project and described the design concept within the context of the surrounding area.
From the public, the following comments were made:

Adams Broadwell Joseph & Cardozo (CREEDLA) referenced their written comments on the Final EIR for the Project, pertaining specifically to the following matters:

- The Project will not provide affordable units;
- A Health Risk Assessment was not prepared for the Project; the Air Quality emissions should be disclosed as well as any related health impacts;
- The Project exceeds the South Coast Air Quality Air District's interim thresholds; and
- The Project's GHG emissions were not properly analyzed and mitigation measures were not implemented;

The owner of the Silver City, the commercial building located south of the Project Site along Hill Street confirmed that he is not against the Project; however he expressed concern regarding the Project's construction activities, including dust, roadway and sidewalk closures that could disrupt his business, and potential damage to the building's foundation.

Several Union Representatives, including IBEW Local 11, Plummers Local 78, Ironworkers Local 416, and the Los Angeles/Orange Counties Building and Construction Trades Council, opposed the Project as no local hire agreement between the Applicant and the unions was in place for a project requesting TFAR; the Project could result in potential construction impacts; and the Project provides no affordable housing being proposed

Several organizations voiced support for the Project, including the Downtown Center Business Improvement District, Los Angeles Chamber of Commerce, Central City Association,

The Deputy Advisory Agency did not request any further information.

Communications Received

After the distribution of the notice of public hearing, Planning Staff received one email in opposition to the Project and 11 letters of support for the Project.

In addition, two comment letters were submitted by Adams Broadwell Joseph & Cardozo, on behalf of the Coalition for Responsible Equitable Economic Development (CREED LA). The letters provided comments on a variety of environmental topics, including air quality, greenhouse gas emissions, and public health and included a technical letter from Matt Hagemann, P.G., C.hc. and Hadley Nolan of Soil/Water/Air Projection Enterprise (SWAPE). The City reviewed these two comment letters (dated April 16, 2019 and May 7, 2019) and provided written responses to each of the comments, available as part of the City's administrative case file. The City determined that the comments do not result in any new significant environmental impacts or a substantial increase in any of the severity of significant impacts identified in the Draft EIR. Minor adjustments to Air Quality and GHG are further accounted for in the CEQA findings. These minor adjustments do

not result in any new significant impacts or a substantial increase in the severity of impacts identified in the Draft EIR. As such, in accordance with CEQA Guidelines Section 15088.5, recirculation of the EIR is not required. The documents and other materials that constitute the record of proceedings on which the City's CEQA findings are based are located at the Department of City Planning, Major Projects Section, 221 N. Figueroa Street, Room 1350, Los Angeles, California 90012. This information is proved in compliance with Public Resources Code Section 21081.6(a)(2). No other written responses were submitted to the Department of City Planning.

5TH & HILL PROJECT

JULY 29, 2019

EXHIBIT A-1
CPC-2016-3765
ARCHITECTURAL PLANS

5TH & HILL

Owner:

W 5TH STREET,
LOS ANGELES CA 90013

JMF DEVELOPMENT LLC

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Landscape Architect: MJS LANDSCAPE ARCHITECTURE

507 30TH STREET
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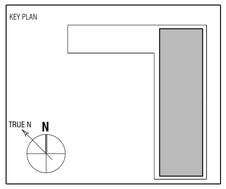
KEY PLAN



Seal / Signature:

Project No.: 3458

RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

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COVER SHEET

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DRAWING SHEET INDEX

SHEET NUMBER	SHEET TITLE	10/26/2017 ENTITLEMENT SUBMISSION	03/19/2019 HEARING PLAN SET	07/29/2019 PLANNING UPDATE
GENERAL				
G0.00	COVER SHEET	•	•	•
G0.01	DRAWING SHEET INDEX	•	•	•
G0.06	DRAWING ABBREVIATIONS, PROJECT DIRECTORY, SYMBOLS, & VICINITY MAP	•	•	•
G0.08	PROJECT INFO	•	•	•
G0.09	SITE SURVEY	•	•	•
G5.00	PERSPECTIVE VIEW FROM CORNER OF HILL ST AND 5TH ST	•	•	•
ARCHITECTURE				
A2.B2A	FLOOR PLAN - LEVEL B2 PARKING	•	•	•
A2.B1A	FLOOR PLAN - LEVEL B1 PARKING	•	•	•
A2.01A	FLOOR PLAN - LEVEL 1 RESIDENTIAL LOBBY / HOTEL DROP OFF	•	•	•
A2.02A	FLOOR PLAN - LEVEL 2 TRANSITION LOBBY	•	•	•
A2.03A	FLOOR PLAN - LEVEL 3 PARKING	•	•	•
A2.04A	FLOOR PLAN - LEVEL 4 PARKING	•	•	•
A2.05A	FLOOR PLAN - LEVEL 5 PARKING	•	•	•
A2.06A	FLOOR PLAN - LEVEL 6 ADMIN / MEETING ROOMS	•	•	•
A2.07A	FLOOR PLAN - LEVEL 7 RESTAURANT	•	•	•
A2.08A	FLOOR PLAN - LEVEL 8 RESTAURANT	•	•	•
A2.13A	FLOOR PLAN - LEVEL 13 SKY LOBBY	•	•	•
A2.14A	FLOOR PLAN - LEVEL 14 THREE MEAL RESTAURANT	•	•	•
A2.15A	FLOOR PLAN - LEVEL 15 KITCHEN / BOH	•	•	•
A2.16A	FLOOR PLAN - LEVEL 16 BALLROOM	•	•	•
A2.17A	FLOOR PLAN - LEVEL 17 MECHANICAL TRANSFER	•	•	•
A2.19A	FLOOR PLAN - LEVEL 19 FITNESS	•	•	•
A2.20A	FLOOR PLAN - LEVEL 20 HOTEL	•	•	•
A2.21A	FLOOR PLAN - LEVEL 21 HOTEL	•	•	•
A2.22A	FLOOR PLAN - LEVEL 22 HOTEL	•	•	•
A2.23A	FLOOR PLAN - LEVEL 23 HOTEL	•	•	•
A2.24A	FLOOR PLAN - LEVEL 24 HOTEL	•	•	•
A2.25A	FLOOR PLAN - LEVEL 25 HOTEL	•	•	•
A2.26A	FLOOR PLAN - LEVEL 26 HOTEL	•	•	•
A2.27A	FLOOR PLAN - LEVEL 27 HOTEL	•	•	•
A2.28A	FLOOR PLAN - LEVEL 28 HOTEL	•	•	•
A2.29A	FLOOR PLAN - LEVEL 29 HOTEL	•	•	•
A2.30A	FLOOR PLAN - LEVEL 30 HOTEL	•	•	•
A2.31A	FLOOR PLAN - LEVEL 31 HOTEL	•	•	•
A2.32A	FLOOR PLAN - LEVEL 32 HOTEL	•	•	•
A2.33A	FLOOR PLAN - LEVEL 33 HOTEL	•	•	•
A2.34A	FLOOR PLAN - LEVEL 34 HOTEL	•	•	•
A2.35A	FLOOR PLAN - LEVEL 35 HOTEL	•	•	•
A2.36A	FLOOR PLAN - LEVEL 36 HOTEL	•	•	•
A2.37A	FLOOR PLAN - LEVEL 37 HOTEL SUITES	•	•	•
A2.38A	FLOOR PLAN - LEVEL 38 MEP / TERRACE	•	•	•
A2.39A	FLOOR PLAN - LEVEL 39 MEP / RESIDENTIAL UNITS	•	•	•
A2.40A	FLOOR PLAN - LEVEL 40 GUEST SUITES	•	•	•
A2.41A	FLOOR PLAN - LEVEL 41 RESIDENTIAL UNITS	•	•	•
A2.42A	FLOOR PLAN - LEVEL 42 RESIDENTIAL UNITS	•	•	•
A2.43A	FLOOR PLAN - LEVEL 43 RESIDENTIAL UNITS	•	•	•
A2.44A	FLOOR PLAN - LEVEL 44 RESIDENTIAL UNITS	•	•	•
A2.45A	FLOOR PLAN - LEVEL 45 RESIDENTIAL UNITS	•	•	•
A2.46A	FLOOR PLAN - LEVEL 46 RESIDENTIAL UNITS	•	•	•
A2.47A	FLOOR PLAN - LEVEL 47 RESIDENTIAL UNITS	•	•	•
A2.48A	FLOOR PLAN - LEVEL 48 RESIDENTIAL UNITS	•	•	•
A2.49A	FLOOR PLAN - LEVEL 49 RESIDENTIAL UNITS	•	•	•
A2.50A	FLOOR PLAN - LEVEL 50 PENTHOUSE	•	•	•
A2.51A	FLOOR PLAN - LEVEL 51 MECH / PENTHOUSE UPPER	•	•	•
A2.52A	FLOOR PLAN - LEVEL 52 MECHANIAL	•	•	•
A2.53A	LEVEL 53 ROOF PLAN	•	•	•
A2.54A	UPPER ROOF PLAN	•	•	•
A5.00A	BUILDING ELEVATION - SOUTH	•	•	•
A5.01A	BUILDING ELEVATION - WEST	•	•	•
A5.02A	BUILDING ELEVATION - NORTH	•	•	•
A5.03A	BUILDING ELEVATION - EAST	•	•	•
A5.10A	BUILDING SECTIONS	•	•	•
LANDSCAPE				
L.01A	LEVEL 1 CONCEPTUAL LANDSCAPE PLAN	•		•
L.02A	LIFESTYLE IMAGERY	•		•
L.03A	LEVEL 7 CONCEPTUAL LANDSCAPE PLAN	•		•
L.04A	LEVEL 8 CONCEPTUAL LANDSCAPE PLAN	•		•
L.05A	LEVEL 13 CONCEPTUAL LANDSCAPE PLAN	•		
L.06A	LEVEL 14 CONCEPTUAL LANDSCAPE PLAN	•		•
L.07A	LEVEL 16 CONCEPTUAL LANDSCAPE PLAN	•		•
L.08A	LEVEL 19 CONCEPTUAL LANDSCAPE PLAN	•		•
L.09A	LEVEL 38 CONCEPTUAL LANDSCAPE PLAN	•		•
L.10A	PLANT PALETTE / LANDSCAPE NOTES / OPEN SPACE	•		•

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5TH & HILL

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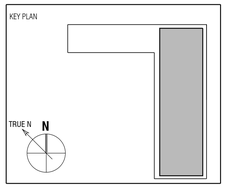

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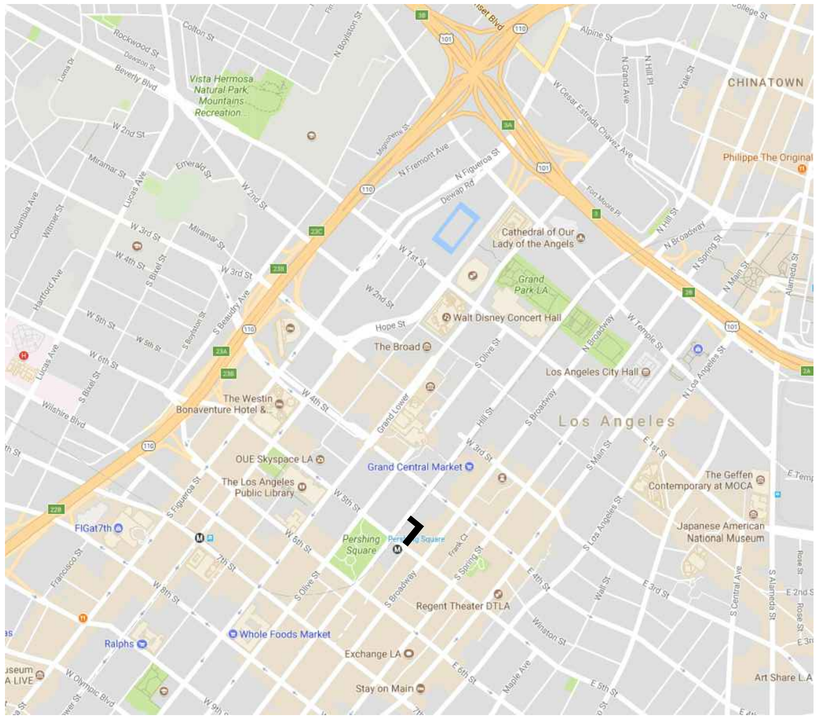
ABBREVIATIONS *(NOT ALL ABBREVIATIONS MAY BE USED)*

&	AND
∠	ANGLE
@	AT
℄	CENTERLINE
⌀	DIAMETER, ROUND
d_T	PENNY
⊥	PERPENDICULAR
ℙ	PLATE
[	CHANNEL
⏢	SQUARE FOOT
#	POUND
AB	ANCHOR BOLT
ABV	ABOVE
A/C	AIR CONDITIONER
ACOUS	ACOUSTICAL
AD	AREA DRAIN
ADJ	ADJUSTABLE
AFF	ABOVE FINISH FLOOR
AGGR	AGGREGATE
ALT	ALTERNATE
ALUM	ALUMINUM
ANOD	ANODIZED
APNL	ACCESS PANEL
APPROX	APPROXIMATE
ARCH	ARCHITECTURAL
ASPH	ASPHALT
AUTO	AUTOMATIC
BBD	BULLETIN BOARD
BD	BOARD
BITUM	BITUMINOUS
BLDG	BUILDING
BLK	BLOCK
BM	BEAM
BOT	BOTTOM
BSMT	BASEMENT
BUR	BUILT-UP ROOF
CAB	CABINET
CB	CATCH BASIN
CBD	CHALK BOARD
CEM	CEMENT
CFLASH	COUNTERFLASH (ING)
CG	CORNER GUARD
CI	CAST IRON
CIP	CAST-IN-PLACE
CJ	CONTROL JOINT
CLG	CEILING
CLKG	CAULKING
CLO	CLOSET
CLR	CLEAR (ANCE)
CMU	CONCRETE MASONRY UNIT
CNR	CORNER
CNTR	COUNTER
COL	COLUMN
CONC	CONCRETE
CONN	CONNECTION
CONSTR	CONSTRUCTION
CONT	CONTINUOUS
CORR	CORRIDOR
CT	CERAMIC TILE
CTSK	COUNTERSUNK
CTR	CENTER
DBL	DOUBLE
DD	DECK DRAIN
DEM	DEMOLISH, DEMOLITION
DEPT	DEPARTMENT
DET	DETAIL
DF	DRINKING FOUNTAIN
DIA	DIAMETER
DIM	DIMENSION
DIS	DISPENSER
DN	DOWN
DO	DOOR OPENING
DR	DOOR
DS	DOWNSPOUT
DSP	DRY STAND PIPE
DWG	DRAWING
DWR	DRAWER
E	EAST
(E)	EXISTING
EA	EACH
EB	EXPANSION BOLT
EIFS	EXTERIOR INSULATION FINISH SYSTEM
EJ	EXPANSION JOINT
EL	ELEVATION
ELEC	ELECTRICAL
EMER	EMERGENCY
ELEV	ELEVATOR
ENCL	ENCLOSURE
EQ	EQUAL
EQUIP	EQUIPMENT
EWC	ELECTRIC WATER COOLER
EXIST	EXISTING
EXP	EXPANSION
EXPO	EXPOSED
EXT	EXTERIOR
(F)	FACE OF
FA	FIRE ALARM
FCC	FIRE COMMAND CENTER
FD	FLOOR DRAIN
FDC	FIRE DEPT CONNECTION
FDN	FOUNDATION
FE	FIRE EXTINGUISHER
FEC	FIRE EXTINGUISHER CABINET
FHC	FIRE HOSE CABINET
FH	FLATHEAD
FIN	FINISH (ED)
FL	FLOOR (ING)
FLASH	FLASHING
FLUOR	FLUORESCENT
F.O.F.	FACE OF FINISH
FPRF	FIREPROOF (ING)
FS	FULL SIZE
F.S.A.E.	FIRE SERVICE ACCESS ELEVATOR
FT	FOOT, FEET
FTG	FOOTING
FURR	FURR (ED) (ING)
FUT	FUTURE
FWC	FABRIC WALL COVERING
GA	GAGE, GAUGE
GALV	GALVANIZED
GB	GRAB BAR
GC	GENERAL CONTRACTOR
GFRC	GLASS FIBER REINFORCED CONCRETE
GL	GLASS
GND	GROUND
GR	GRADE
GSM	GALVANIZED SHEET METAL
GWB	GYPSUM WALL BOARD
GYP	GYPSUM
HB	HOSE BIBB
HC	HOLLOW CORE
HCP	HANDICAP (ED)
HD	HEAD
HDWD	HARDWOOD
HDW	HARDWARE
HM	HOLLOW METAL
HORZ	HORIZONTAL
HRC	HOSE REEL CABINET
HT	HEIGHT
HVAC	HEATING, VENTILATING, AIR CONDITIONING
ID	INSIDE DIAMETER
IN	INCH
INCAN	INCANDESCENT
INCL	INCLUDE
INFO	INFORMATION
INSUL	INSULATION
INT	INTERIOR
INV	INVERT
JAN	JANITOR
JF	JOINT FILLER
JST	JOIST
JT	JOINT
KIT	KITCHEN
KO	KNOCKOUT
KP	KICK PLATE
LAM	LAMINATE
LAV	LAVATORY
LKR	LOCKER
LOUV	LOUVER
LPT	LOW POINT
LT	LIGHT
LTWT	LIGHTWEIGHT
MB	MACHINE BOLTS
MAS	MASONRY
MATL	MATERIAL
MAX	MAXIMUM
MECH	MECHANICAL
MEMB	MEMBRANE
MEZZ	MEZZANINE
MFR	MANUFACTURER
MH	MANHOLE
MIN	MINIMUM
MIR	MIRROR
MISC	MISCELLANEOUS
MO	MASONRY OPENING
MOULD	MOULDING
MTD	MOUNT (ED)
MTL	METAL
MUL	MULLION
N	NORTH
(N)	NEW
NIC	NOT IN CONTRACT
NTS	NOT TO SCALE
NO	NUMBER
NOM	NOMINAL
OA	OVERALL
OC	ON CENTER
OD	OUTSIDE DIAMETER
OFD	OVERFLOW DRAIN
OFF	OFFICE
OPNG	OPENING
OPP	OPPOSITE
OPP HD	OPPOSITE HAND
OTS	OPEN TO STRUCTURE
OVD	OVERFLOW DRAIN
OZ	OUNCE
PAV	PAVING
PCP	PORTLAND CEMENT PLASTER
PE	PASSENGER ELEVATOR
PH	PENTHOUSE
PLAM	PLASTIC LAMINATE
PLAS	PLASTER
PLYWD	PLYWOOD
POL	POLISH (ED)
PNT	PAINT (ED)
PR	PAIR
PRCST	PRECAST
PT	POINT
PTD	PAPER TOWEL DISPENSER
PTD/R	PAPER TOWEL DISPENSER AND RECEPTACLE
PTN	PARTITION
QT	QUARRY TILE
R	RISER
RAD	RADIUS
RD	ROOF DRAIN
REF	REFERENCE
REFR	REFRIGERATOR
REINF	REINFORCED
(R)	REMOVE (ED)
REPL	REPLACED
REQ	REQUIRED
RESIL	RESILIENT
REV	REVISIONS
RFG	ROOFING
RH	ROUND HEAD
RL	RIDGE LINE
RM	ROOM
RO	ROUGH OPENING
ROW	RIGHT OF WAY
RWD	REDWOOD
RWL	RAIN WATER LEADER
S	SOUTH
SAFB	SOUND ATTENUATION FIBERGLASS BATTS
SC	SOLID CORE
SCD	SEAT COVER DISPENSER
SCHED	SCHEDULE
SD	SMOKE DETECTOR
SDP	SOAP DISPENSER
SE	SHUTTLE ELEVATOR
SECT	SECTION
SH	SHELF
SHT	SHEET
SHR	SHOWER
SHTHG	SHEATHING
SIM	SIMILAR
SJ	SEISMIC JOINT
SCED	SEE CIVIL ENGINEER DRAWINGS
SED	SEE ELECTRICAL DRAWINGS
SLD	SEE LANDSCAPE DRAWINGS
SMD	SEE MECHANICAL DRAWINGS
SPD	SEE PLUMBING DRAWINGS
SSD	SEE STRUCTURAL DRAWINGS
SPGL	SPANDREL GLASS
SM	SHEET METAL
SMS	SHEET METAL SCREW (S)
SND	SANITARY NAPKIN DISPENSER
SNR	SANITARY NAPKIN RECEPTACLE
SPEC	SPECIFICATION
SPKR	SPEAKER
SQ	SQUARE
SS	STAINLESS STEEL
SSK	SERVICE SINK
STD	STANDARD
STL	STEEL
STOR	STORAGE
STR	STRUCTURE
STRL	STRUCTURAL
SUSP	SUSPENDED
SYM	SYMMETRICAL
T	TREAD
(T)	TOP OF
TB	TOWEL BAR
TBR	TO BE REMOVED
TEL	TELEPHONE
TEMP	TEMPERED
TERR	TERRAZZO
T&G	TONGUE AND GROOVE
THK	THICK
THRU	THROUGH
TKBD	TACKBOARD
TPD	TOILET PAPER DISPENSER
TS	TUBULAR STEEL
TYP	TYPICAL
UNF	UNFINISHED
UON	UNLESS OTHERWISE NOTED
UR	URINAL
VB	VAPOR BARRIER
VERT	VERTICAL
VEST	VESTIBULE
VIF	VERIFY IN FIELD
VT	VINYL TILE
VWC	VINYL WALL COVERING
W	WEST
W/	WITH
WC	WATER CLOSET
WD	WOOD
WGL	WIRE GLASS
WH	WATER HEATER
WR	WATER RESISTANT
WND	WINDOW
W/O	WITHOUT
WP	WATERPROOF (ING)
WS	WOOD SCREW
WSCT	WAINSCOT
WT	WEIGHT
WWF	WELDED WIRE FABRIC
YD	YARD

VICINITY MAP



SYMBOLS LEGEND *(NOT ALL SYMBOLS MAY BE USED)*

NORTH ARROW
- PROJECT NORTH
- TRUE NORTH

DETAIL
- DETAIL IDENTIFICATION
- SHEET WHERE DRAWN
- AREA OF DETAIL

SECTION
- DETAIL IDENTIFICATION
- THICKENED LINE SHOWS DIRECTION OF CUT
- SHEET WHERE DRAWN

ELEVATION
- DETAIL IDENTIFICATION
- SHEET WHERE DRAWN

REFERENCE
- DETAIL IDENTIFICATION
- SHEET WHERE DRAWN

GRID

LEVEL 00 000.0' — WORK, CONTROL OR DATUM POINT

REVISION
- REVISION MARK
- RFI #, WHERE OCCURS
- REVISION CLOUD

PROPERTY LINE

DOOR MARK
- DOOR MARK - REFER TO SCHEDULE

WINDOW/LOUVER

EQUIPMENT/ FIXTURE MARK

PARTITION TYPE

KEY NOTE MARK

ROOM MARK
- ROOM NAME
- ROOM NUMBERS
- ROOM AREA

CEILING TAG
- CEILING TYPE
- CEILING HEIGHT

FINISH TAG
- FLOOR/BASE FINISH
- WALL FINISH
- CEILING FINISH
- SPECIAL FINISH

ELEVATION CHANGE

MATCH LINE

CONTROL PONIT

DIMENSION
- CENTER OR CENTERLINE OF STRUCTURE
- FACE OF FINISH

GRADE ELEVATION
- NEW OR FINISH GRADE
- EXISTING GRADE

FINISHED CONTOURS

EXISTING CONTOURS

FIXTURES, MISC. ITEMS
- ACCESS PANEL
- SUPPLY DIFFUSER
- EXHAUST OR RETURN REGISTER
- CEILING MOUNTED
- WALL MOUNTED
- FLUSH CEILING MOUNTED
- RECESSED WALL WASHER - LIGHT DIRECTION DENOTED
- SURFACE MOUNTED WALL WASHER - LIGHT DIRECTION DENOTED
- TRACK LIGHT FIXTURES
- FLUSH CEILING MOUNTED
- SUSPENDED
- WALL MTD.
- FIRE ALARM SPEAKER
- SMOKE DETECTOR
- THERMOSTAT

EXIT SIGN
- WALL MTD. DIRECTION DENOTED
- CLG. MTD. DIRECTION DENOTED
- CLG. MTD. - DUAL DIRECTION DENOTED
- STANDPIPE

PROJECT DIRECTORY

Architect:	Owner:	Landscape Architect:	
ARQUITECTONICA 818 West 7th Street, Suite 800 Los Angeles, CA 90017 TEL. 213.895.7800 FAX. 213.895.7808	**JMF DEVELOPMENT LLC** 448 S. Hill Street, Suite 608 Los Angeles, CA 90013 TEL. 213.622.2929 FAX. 213.622.0092	**JMS LANDSCAPE ARCHITECTURE** 507 30th Street Newport Beach, CA 92663 TEL. 949.433.8076	

NOT FOR CONSTRUCTION

5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

Owner:

JMF DEVELOPMENT LLC

448 S. Hill Street, Suite 608, Los Angeles, CA 90013
TEL. 213.622.2929 Ext. 401 | FAX. (213) 622-0092

Architect: ARQUITECTONICA

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LOS ANGELES, CA 90017
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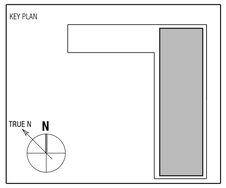
FAX. 213.895.7808

Landscape Architect: MJS LANDSCAPE ARCHITECTURE

507 30TH STREET
NEWPORT BEACH, CA 92663
TEL. 949.673.9964

KEY PLAN



Seal / Signature:

Project No.: 3458

RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

Sheet Title:

DRAWING ABBREVIATIONS, PROJECT DIRECTORY, SYMBOLS, & VICINITY MAP

Scale:

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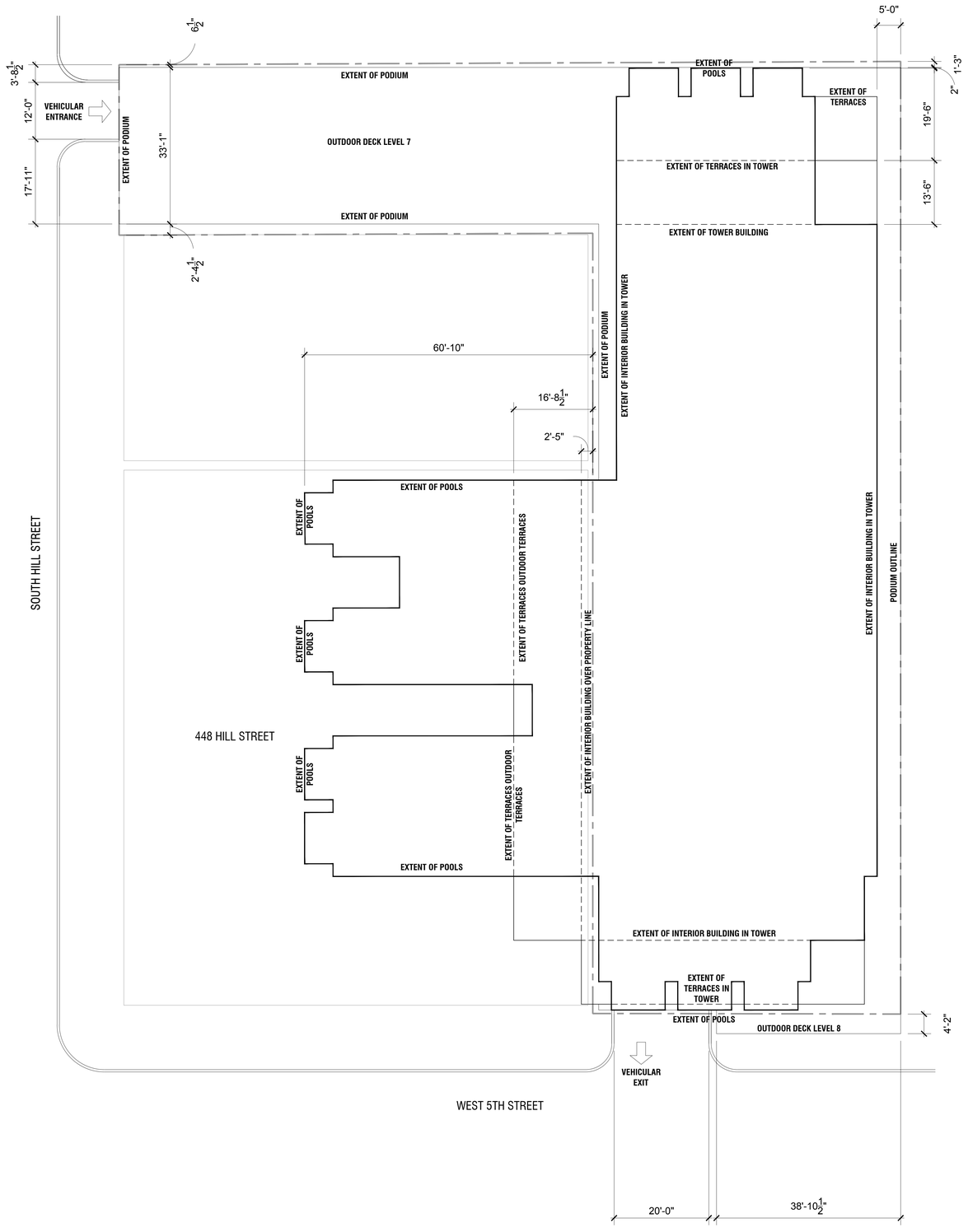
PLOT PLAN



PROJECT SUMMARY

APPLICANT: JMF DEVELOPMENT V LLC
448 S. HILL STREET, SUITE 608
LOS ANGELES, CA 90013

PROJECT ADDRESS: 319-323 1/2 WEST 5TH STREET
440-442 SOUTH HILL STREET
LOS ANGELES, CA 90013

LEGAL DESCRIPTION

ZONING: C2-4D

LOT I:
PROPERTY ADDRESS: 319 WEST 5TH STREET, LOS ANGELES, CA 90013

THOSE PORTIONS OF LOTS 6 AND 7, IN BLOCK 11 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 53 PAGE 66 ET SEQ., MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

LOT II:
PROPERTY ADDRESS: 321 WEST 5TH STREET AND 440 SOUTH HILL STREET, LOS ANGELES, CA 90013

PARCEL 1:
THOSE PORTIONS OF LOTS 6 AND 7IN BLOCK 11 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFIFORNIA, AS PER MAP RECORDED IN BOOK 53, PAGE 66 ET SEQ., OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 2:
LOT B OF A RESUBDIVISION OF A PORTION OF BLOCK 11, ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 5 PAGE 174 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. ALSO, THAT PORTION OF LOT 7, IN BLOCK 11 OF ORD'S SURVEY.

LOT AREA

LOT AREA:	APPROXIMATELY 16,663 SQ. FT. OR 0.38 ACRES.
BUILDABLE AREA:	20,053 SQ. FT.

LOT COVERAGE

LOT AREA:	16,663 SQ. FT.
BUILDING AREA:	16,039 SQ. FT.
BLDG COVERAGE:	96.2%
TOWER AREA:	8,963 SQ. FT.
TOWER COVERAGE:	53.8%

MINIMUM SETBACKS

FRONT SETBACK:	0'-0"
SIDE SETBACK:	0'-0"
BACK SETBACK:	0'-0"

PROJECT DESCRIPTION

NO. OF TOWER FLOORS:	39 FLOORS
NO. OF ABOVE GRADE PODIUM FLOORS:	08 FLOORS
TOWER HEIGHT (TOP OF PARAPET):	783'-10"
PODIUM HEIGHT (FINISH FLOOR):	95'-0"
NUMBER OF UNITS:	31
NUMBER OF HOTEL KEYS:	190
TOTAL FLOOR AREA ALLOWED:	260,689 SQ. FT.
TOTAL FLOOR AREA PROPOSED:	255,812 SQ. FT.

RESIDENTIAL UNIT COUNT

LEVEL	TOTAL
39	1
40	5
41	3
42	3
43	3
44	3
45	3
46	3
47	2
48	2
49	2
50	1
Total	31

POOLS AND BALCONIES

LEVEL	POOL	SPA	BALCONY
51			1
50	1	1	4
49		1	4
48	2	1	5
47		1	4
46	1	1	3
45	1	1	4
44	1	1	5
43	1	1	3
42	2	1	5
41	1	1	4
40	1	1	3
39	1		3
38			4
37			3
36			3
35			2
34			1
33			2
32			1
31			1
30			1
29			1
28			1
27			2
26			
25			
24			2
23			
22			
21			
20			
19	1	1	
TOTAL	13	12	72

PARKING REQUIREMENTS

UNITS W/ 3 HABITABLE ROOMS OR LESS:	03 UNITS x 1.0	=	03
UNITS W/ MORE THAN 3 HABITABLE ROOMS:	28 UNITS x 1.25	=	35
HOTEL:			
FIRST 20 ROOMS	20 ROOMS / 2	=	10
SECOND 20 ROOMS	20 ROOMS / 4	=	05
REMAINING ROOMS	150 ROOMS / 6	=	25
HOTEL RESTAURANT / BAR:	8,648 / 1,000	=	09
MEETING / BANQUET ROOMS:	6,119 / 1,000 x 10	=	61
RESTAURANT:			
INDOOR DINING:	7,068 / 1,000	=	07
OUTDOOR DINING:	13,516 / 1,000	=	13
TOTAL PARKING FOR ALL USES:			168
PARKING REDUCTION PER BICYCLE ORDINANCE			
15% REDUCTION FOR RESIDENTIAL:			-12
30% FOR NON-RESIDENTIAL:			-27
TOTAL REQUIRED PARKING:			129 SPACES
TOTAL PARKING SPACES PROVIDED:			129 SPACES

BICYCLE PARKING REQUIREMENTS

RESIDENTIAL:	LONG-TERM (1 PER DWELLING UNIT):		=	31
	SHORT -TERM (1 PER 10 DWELLING UNITS):	31 UNITS / 10	=	3
HOTEL:	LONG-TERM (1 PER 10 GUEST ROOMS):	190 ROOMS / 10	=	19
	SHORT-TERM (1 PER 10 GUEST ROOMS):	190 ROOMS / 10	=	19
	HOTEL RESTAURANT LONG-TERM (1 PER 2000 SF):	8,648 SQ. FT. / 2000	=	05
	HOTEL RESTAURANT SHORT-TERM (1 PER 2000 SF):	8,648 SQ. FT. / 2000	=	05
	MEETING / BANQUET ROOMS LONG-TERM (1 PER 10,000 SQ. FT., MINIMUM 2)	6,119 SQ. FT./10,000	=	02
	MEETING / BANQUET ROOMS SHORT-TERM (1 PER 10,000 SQ. FT., MINIMUM 2)	6,119 SQ. FT./10,000	=	02
COMMERCIAL:	LONG-TERM (1 PER 2000 SQ. FT.):	20,584 SQ. FT. / 2000	=	10
	SHORT-TERM (1 PER 2000 SQ. FT.):	20,584 SQ. FT. / 2000	=	10

TOTAL BICYCLE PARKING REQUIRED:	
LONG-TERM REQUIRED:	67 SPACES
SHORT-TERM REQUIRED:	39 SPACES
AUTOMOBILE PARKING REPLACEMENT:	156 SPACES
TOTAL BICYCLE PARKING PROVIDED:	
LONG-TERM PROVIDED:	117 SPACES
SHORT-TERM PROVIDED:	39 SPACES

OPEN SPACE REQUIREMENTS

100 SQ. FT. PER UNIT W/ LESS THAN 3 HABITABLE ROOMS:	0 UNITS x 100	=	-
125 SQ. FT. PER UNIT W/ 3 HABITABLE ROOMS:	09 UNITS x 125	=	1,125 SQ. FT.
175 SQ. FT. PER UNIT W/ 4 OR MORE HABITABLE ROOMS:	22 UNITS x 175	=	3,850 SQ. FT.
(10% REDUCTION FR COMMON OPEN SPACE):	-----		
TOTAL OPEN SPACE REQUIRED:			4,975 SQ. FT.
TOTAL OPEN SPACE PROVIDED:			
OPEN SPACE PROVIDED:			
EXTERIOR COMMON SPACE:			4,565 SQ. FT.
INDOOR COMMON SPACE (MAX. 25%):			1,244 SQ. FT.
PRIVATE OPEN SPACE (MAX. 50 SQ. FT. PER UNIT):	31 x 50 SQ. FT.	=	1,550 SQ. FT.
TOTAL OPEN SPACE PROVIDED:			7,359 SQ. FT.

OPEN SPACE MATRIX:

EXTERIOR OPEN SPACE	
Level 19	3,769 SF
Level 38	796 SF
Total	4,565 SF

INTERIOR OPEN SPACE	
Level 19	1,244 SF

PRIVATE OPEN SPACE	
Level 50	50 SF
Level 49	100 SF
Level 48	100 SF
Level 47	100 SF
Level 46	150 SF
Level 45	150 SF
Level 44	150 SF
Level 43	150 SF
Level 42	150 SF
Level 41	150 SF
Level 40	150 SF
Level 39	150 SF
Total	1,550 SF

GRAND TOTAL	7,359 SF

TREE REQUIREMENTS

TREES REQUIRED:	1 TREE PER 4 UNITS:	31 UNITS / 4	=	8
TOTAL TREES PROVIDED (MIN. 24" BOX SIZE, NO PALM TREE INCLUDED):				20 TREES

8/30/2019 3:57 PM

5TH & HILL
W 5TH STREET,
LOS ANGELES CA 90013

Owner:
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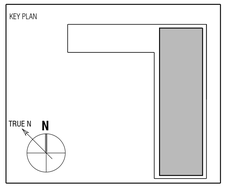
KEY PLAN



Seal / Signature:

Project No.: 3458

RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
	09/19/2018	PLANNING DEPARTMENT MEETING
	10/15/2018	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

Sheet Title:

PROJECT INFORMATION

Scale:

NOT FOR CONSTRUCTION

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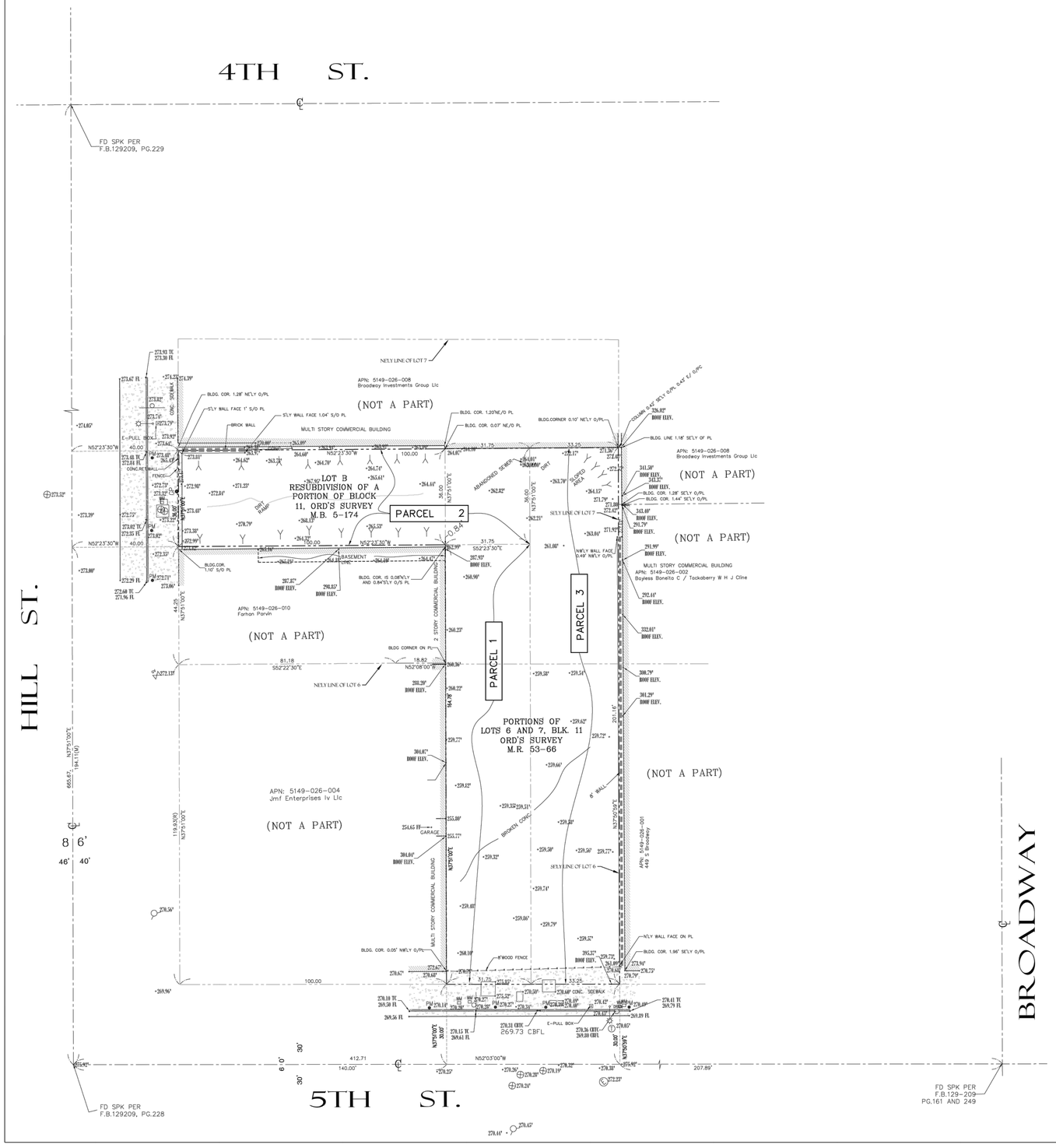


REFERENCE DOCUMENT:

PER PRELIMINARY TITLE REPORT FROM
COMMONWEALTH LAND TITLE COMPANY

ORDER NO. 09191554-919-DAA-DA6

DATED AS OF: JULY 22, 2016

LAND AREA:

PARCEL 1 (APN: 5149-026-011)
CONTAINING AN AREA OF 5,234.66 SQ. FT. OR 0.12 ACRES, MORE OR LESS.

PARCEL 2 (APN: 5149-026-009)
CONTAINING AN AREA OF 4,742.96 SQ. FT. OR 0.109 ACRES, MORE OR LESS.

PARCEL 3 (APN: 5149-026-007)
CONTAINING AN AREA OF 6,685.40 SQ. FT. OR 0.153 ACRES, MORE OR LESS.

CONTAINING A TOTAL AREA OF 16,663.02 SQ. FT. OR 0.382 ACRES, MORE OR LESS.

LEGEND:

A.C.	– ASPHALT CONCRETE	O/S	– OFFSET
B.C.	– BEGINNING OF CURVE	(P)	– PRORATED
BM	– BENCHMARK	P.C.	– PROPERTY CORNER
BW	– BACK OF WALK	PG	– PAGE
CB	– CATCH BASIN	PI	– POINT OF INTERSECTION
CFB	– CITY ENGINEER'S FIELD BOOK	℄ /PL	– PROPERTY LINE
℄/CL	– CENTERLINE	PLTR	– PLANTER
C.L.F.	– CHAIN LINK FENCE	P.O.L.	– POINT ON LINE
COL	– COLUMN	PM	– PARCEL MAP
CONC	– CONCRETE	PMS	– PUNCH MARKS
COR	– CORNER	PROD	– PRODUCED (PROLONGED)
CS	– CRAWL SPACE	PWFB	– PUBLIC WORKS FIELD BOOK
(Doc)	– DEED	(R)	– RECORD
EC	– END OF CURVE	RCE	– REGISTERED CIVIL ENGINEER
EG	– EXISTING GRADE	RDFB	– ROAD DEPARTMENT FIELD BOOK
ELEC	– ELECTRIC	S.S.M.	– STANDARD SURVEY MONUMENT
EST	– ESTABLISH	S.S.D.M.	– STANDARD SURVEY DISC MONUMENT
FB	– FIELD BOOK	SMH	– SEWER MAN-HOLE
FD	– FOUND	S & T	– SPIKE & TIN
FF	– FINISH FLOOR ELEV.	SPK/W	– SPIKE & WASHER
FL	– FLOWLINE ELEV.	TC	– TOP OF CURB ELEV.
FS	– FINISH SURFACE ELEV.	TR	– TRACT MAP
INTER	– INTERSECTION	TW	– TOP OF WALL ELEV.
IP	– IRON PIPE	W.I.F.	– WROUGHT IRON FENCE
LS	– LAND SURVEYOR		
L & T	– LEAD & TACK	N'LY	– NORTHERLY
(M)	– MEASURED	S'LY	– SOUTHERLY
MB	– MAP BOOK	E'LY	– EASTERLY
OH	– OVERHANG	W'LY	– WESTERLY

N/O	– NORTH OF	NE'LY	– NORTHEASTERLY
S/O	– SOUTH OF	SE'LY	– SOUTHEASTERLY
E/O	– EAST OF	NW'LY	– NORTHWESTERLY
W/O	– WEST OF	SW'LY	– SOUTHWESTERLY

PROPERTY LINE
CENTERLINE
RETAINING WALL
BUILDING LINE
FENCE LINE
BLOCK WALL

CONC. PAVEMENT

LEGAL DESCRIPTION:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

THOSE PORTIONS OF LOTS 6 AND 7 IN BLOCK 11 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 53, PAGE 66 ET SEQ., OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY LINE OF FIFTH STREET, DISTANT THEREON WESTERLY 33.25 FEET FROM THE SOUTHEASTERLY CORNER OF SAID LOT 6, SAID POINT OF BEGINNING BEING ALSO THE SOUTHWESTERLY CORNER OF THE PARCEL OF LAND CONVEYED TO MAIER AND ZOBELEN BREWERY, A CORPORATION, BY DEED RECORDED IN BOOK 1787, PAGE 82 OF DEEDS; THENCE NORTHERLY ALONG THE WESTERLY LINE OF THE PARCEL OF LAND SO CONVEYED TO MAIER AND ZOBELEIN BREWERY TO THE SOUTHEASTERLY CORNER OF THE PARCEL OF LAND CONVEYED BY ROSETTA M. OSBORN AND WILLIAM M. OSBORN, HER HUSBAND, TO PAULINE E. MARTIN AND MARGARET C. SCHODER, BY DEED DATED DECEMBER 7, 1904 RECORDED IN BOOK 2176 PAGE 192 OF DEEDS; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF THE PARCEL OF LAND SO CONVEYED TO PAULINE E. MARTIN AND MARGARET C. SCHODER, 31.75 FEET, MORE OR LESS, TO THE SOUTHWESTERLY CORNER THEREOF; THENCE SOUTHERLY PARALLEL WITH THE WESTERLY LINE OF THE PARCEL OF LAND SO CONVEYED TO MAIER AND ZOBELEIN BREWERY HEREINBEFORE REFERRED TO, TO THE NORTHERLY LINE OF FIFTH STREET; THENCE EASTERLY ALONG SAID NORTHERLY LINE 31.75 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL 2:

LOT B OF A RESUBDIVISION OF A PORTION OF BLOCK 11, ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 5 PAGE 174 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ALSO, THAT PORTION OF LOT 7, IN BLOCK 11 OF ORD'S SURVEY, AS DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF LOT B AS SHOWN ON THE RESUBDIVISION OF A PORTION OF SAID BLOCK 11, AS PER MAP RECORDED IN BOOK 5 PAGE 174 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE SOUTHWESTERLY ALONG THE EASTERLY LINE OF SAID LOT B, 36 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT; THENCE SOUTH 52° 23 ½' EAST 31.75 FEET, MORE OR LESS, TO A POINT IN THE WESTERLY LINE OF THE LOT CONVEYED TO THE MAIER AND ZOBLEIN BREWERY, BY DEED RECORDED IN BOOK 1787 PAGE 82 OF DEEDS; THENCE NORTHERLY PARALLEL WITH THE FIRST COURSE 36 FEET TO A POINT IN THE SOUTH LINE OF LOT A, AS SHOWN ON THE MAP HEREIN REFERRED TO; THENCE NORTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT A, 31.75 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

PARCEL 3:

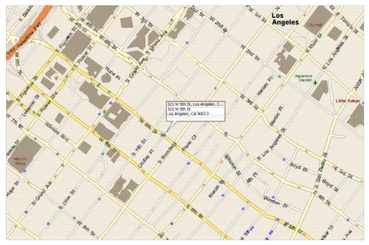
THOSE PORTIONS OF LOTS 6 AND 7, IN BLOCK 11 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 53 PAGES 66 ET SEQ., MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING ON THE EASTERLY LINE OF SAID LOT 6 AT THE NORTHERLY LINE OF FIFTH STREET, 60 FEET WIDE; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOTS 6 AND 7 TO THE FACE OF THE SOUTH WALL OF THE ONE AND ONE-HALF STORY BRICK BUILDING STANDING ON LOT "A" OF THE RESUBDIVISION OF A PORTION OF BLOCK 11 OF ORD'S SURVEY, AS PER MAP RECORDED 5 PAGE 174 OF MAPS, RECORDS OF SAID COUNTY, AS SAID BUILDING EXISTED JANUARY 1, 1919; THENCE WESTERLY ALONG SAID SOUTH FACE TO A LINE PARALLEL WITH SAID EAST LINE AND DISTANT 33 1/4 FEET WESTERLY MEASURED AT RIGHT ANGLES THEREFROM; THENCE SOUTHERLY ALONG SAID PARALLEL LINE TO THE NORTHERLY LINE OF FIFTH STREET; THENCE EASTERLY ALONG SAID STREET LINE 33 ¼ FEET TO THE POINT OF BEGINNING.

Assessor's Parcel Number: 5149-026-011, 5149-026-009, 5149-026-007

BASIS OF BEARINGS:

THE BEARING NORTH 37°51'00" EAST, ON THE CENTER LINE OF HILL STREET AS SHOWN ON RESUBDIVISION OF A PORTION OF BLOCK 11, ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, AS PER MAP RECORDED IN BOOK 5, PAGE 174, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.



VICINITY MAP
NOT TO SCALE

BENCHMARK INFORMATION:

BENCHMARK ID: 12-06773

YEAR OF ADJUSTMENT: 2000

DESCRIPTION:
SPK N CURB FIFTH ST; 12FT E/O BCR HILL ST; W END CB

ELEV = 269.812 FT

SCALE 1" = 16'

GRAPHIC SCALE

(IN FEET)
1 inch = 16 ft.

TITLE:	TOPOGRAPHIC SURVEY 319-321 W. 5TH ST. AND 440 S. HILL ST., LOS ANGELES, CA 90013
CLIENT:	JMF ENTERPRISES V LLC
JOB NO.:	17-12330
SCALE:	1"=16'
DATE:	10/09/17
DESIGNED BY:	F.C. / L.M.
REVISION (S):	
UPDATE CLEARING TO INC. W. BDRY/TOPO/ALTA: WS	
CHECKED BY:	C.DL.
SHEET	1 OF 1 SHEET

5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

Owner:

JMF DEVELOPMENT LLC

448 S. Hill Street, Suite 608, Los Angeles, CA 90013
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Landscape Architect: MJS LANDSCAPE ARCHITECTURE

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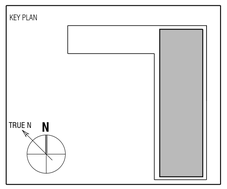
TEL. 949.673.9964

KEY PLAN



Seal / Signature:

Project No.: 3458

RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

Sheet Title:

SITE SURVEY

Scale:

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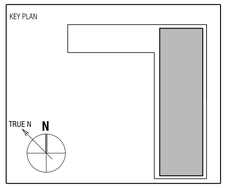

Seal / Signature:

Project No.: 3458

RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

Sheet Title:

PERSPECTIVE VIEW FROM CORNER OF HILL ST AND 5T ST

Scale:

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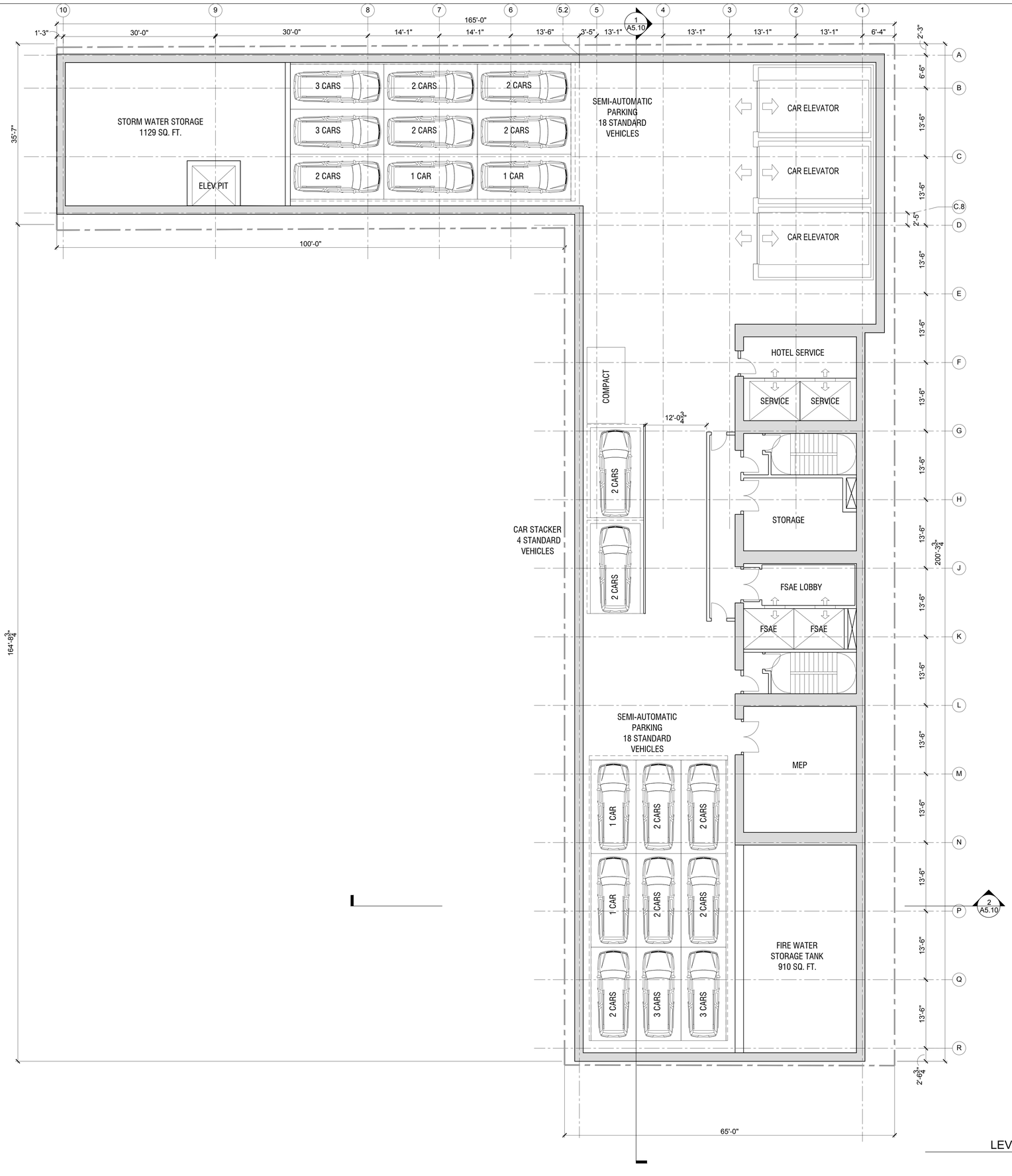

LEVEL B2 - PARKING (1)
SCALE: 1/8"= 1'-0"

5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

Owner:

JMF DEVELOPMENT LLC

448 S. Hill Street, Suite 608, Los Angeles, CA 90013
TEL. 213.622.2929 Ext. 401 | FAX. (213) 622-0092

Architect: ARQUITECTONICA

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FAX. 213.895.7808

Landscape Architect: MJS LANDSCAPE ARCHITECTURE

507 30TH STREET
NEWPORT BEACH, CA 92663
TEL. 949.673.9964

KEY PLAN

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Seal / Signature:

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FLOOR PLAN - LEVEL B2 PARKING

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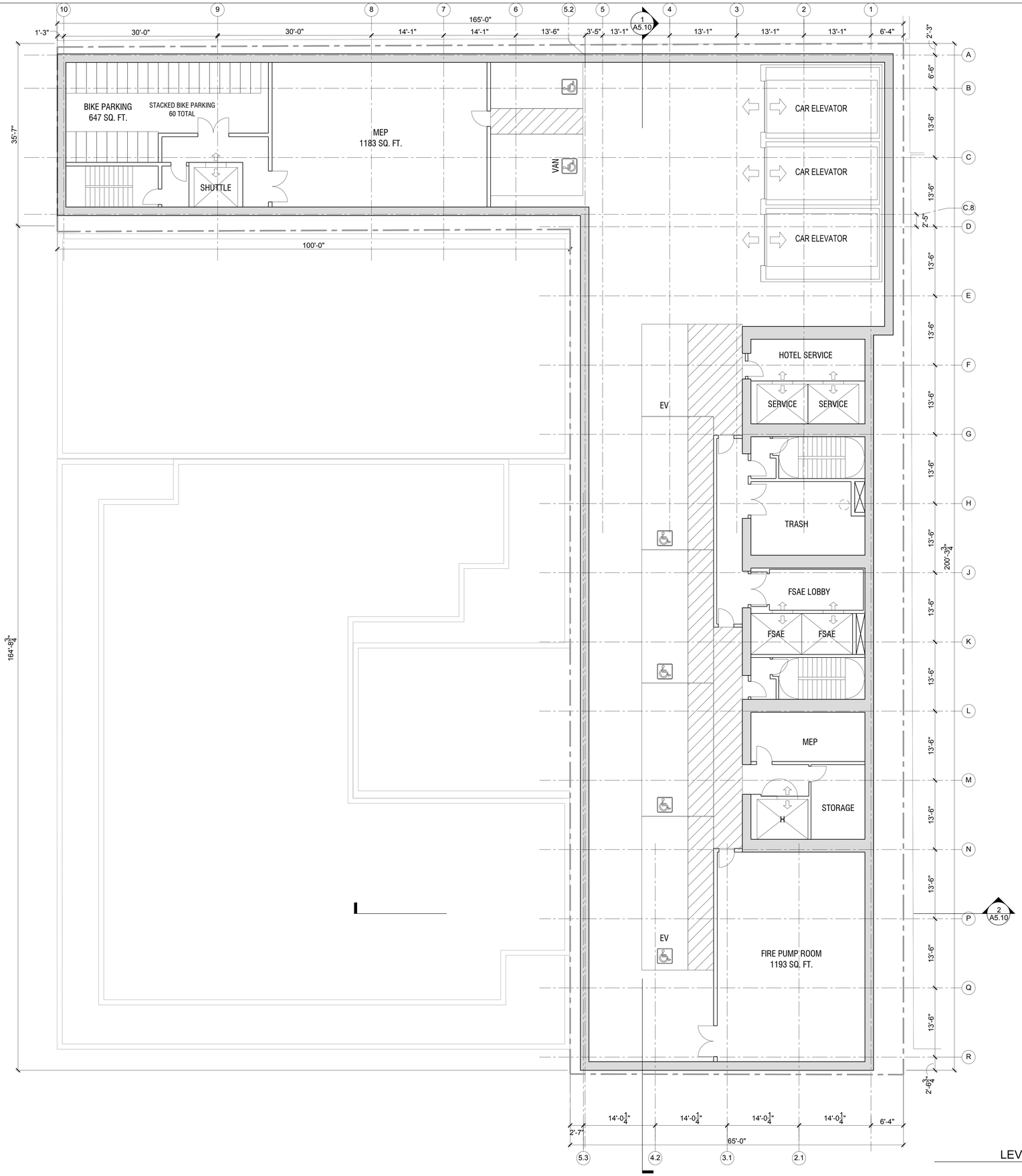

LEVEL B1 - PARKING (1)
SCALE: 1/8"= 1'-0"

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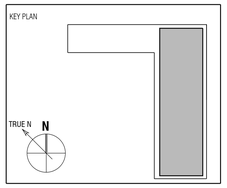
KEY PLAN



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Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL B1 PARKING

Scale:

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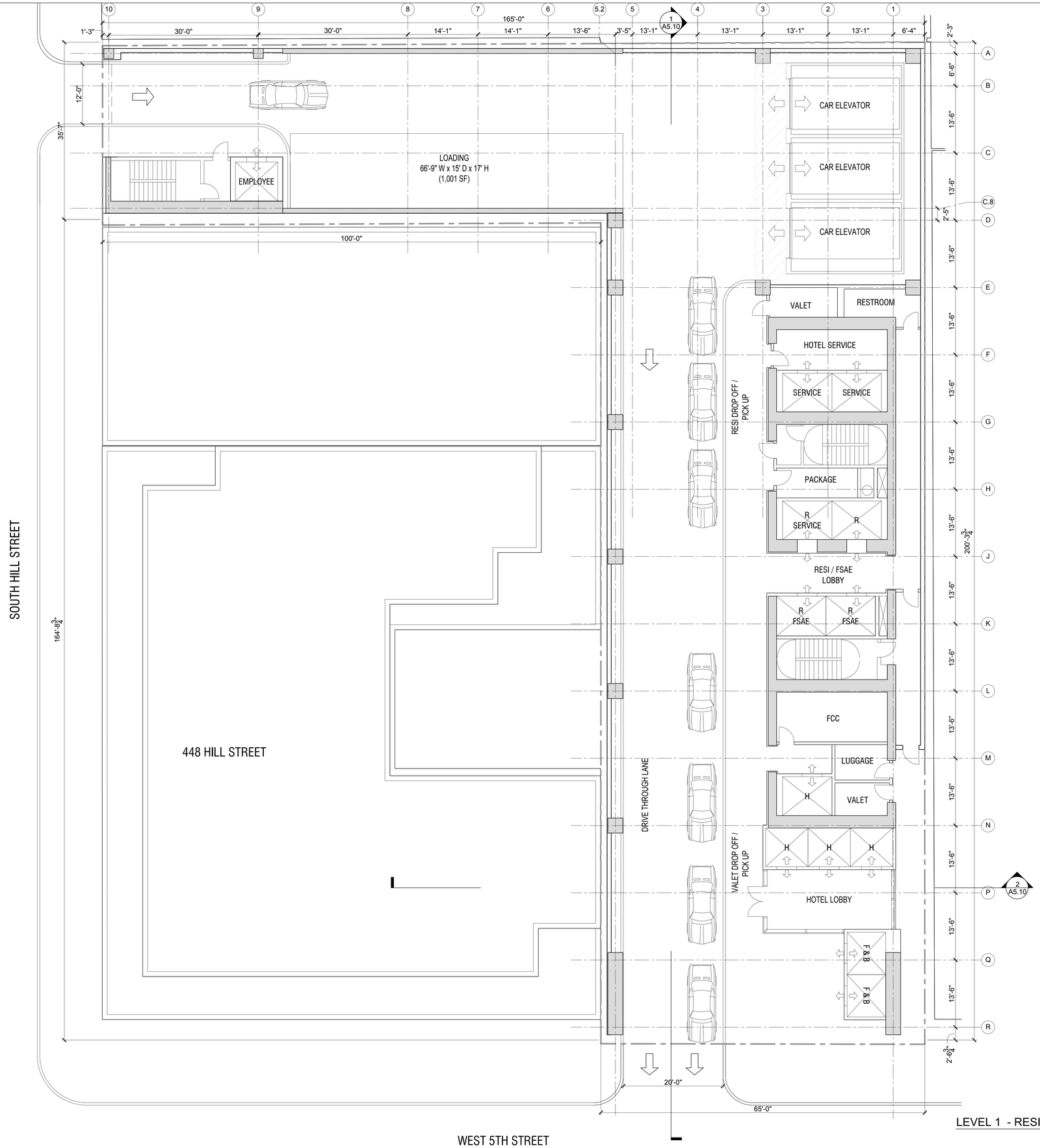

LEVEL 1 - RESI / HOTEL DROP OFF (1)

SCALE: 1/8"= 1'-0"

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FLOOR PLAN - LEVEL 1
RESIDENTIAL /
HOTEL DROP OFF

Scale:

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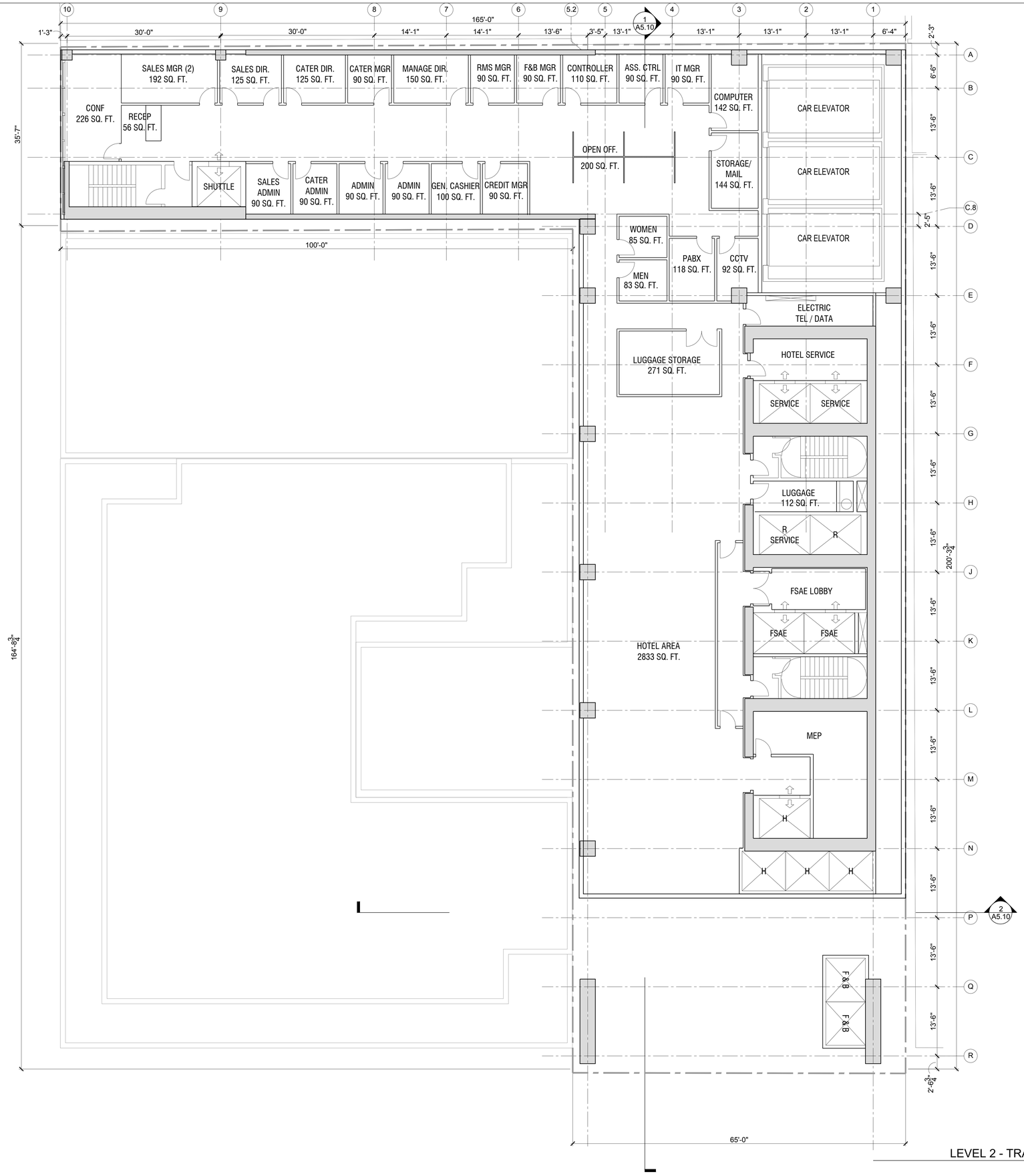

LEVEL 2 - TRANSITION LOBBY (1)
SCALE: 1/8"= 1'-0"

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FLOOR PLAN - LEVEL 2
TRANSITION LOBBY

Scale:

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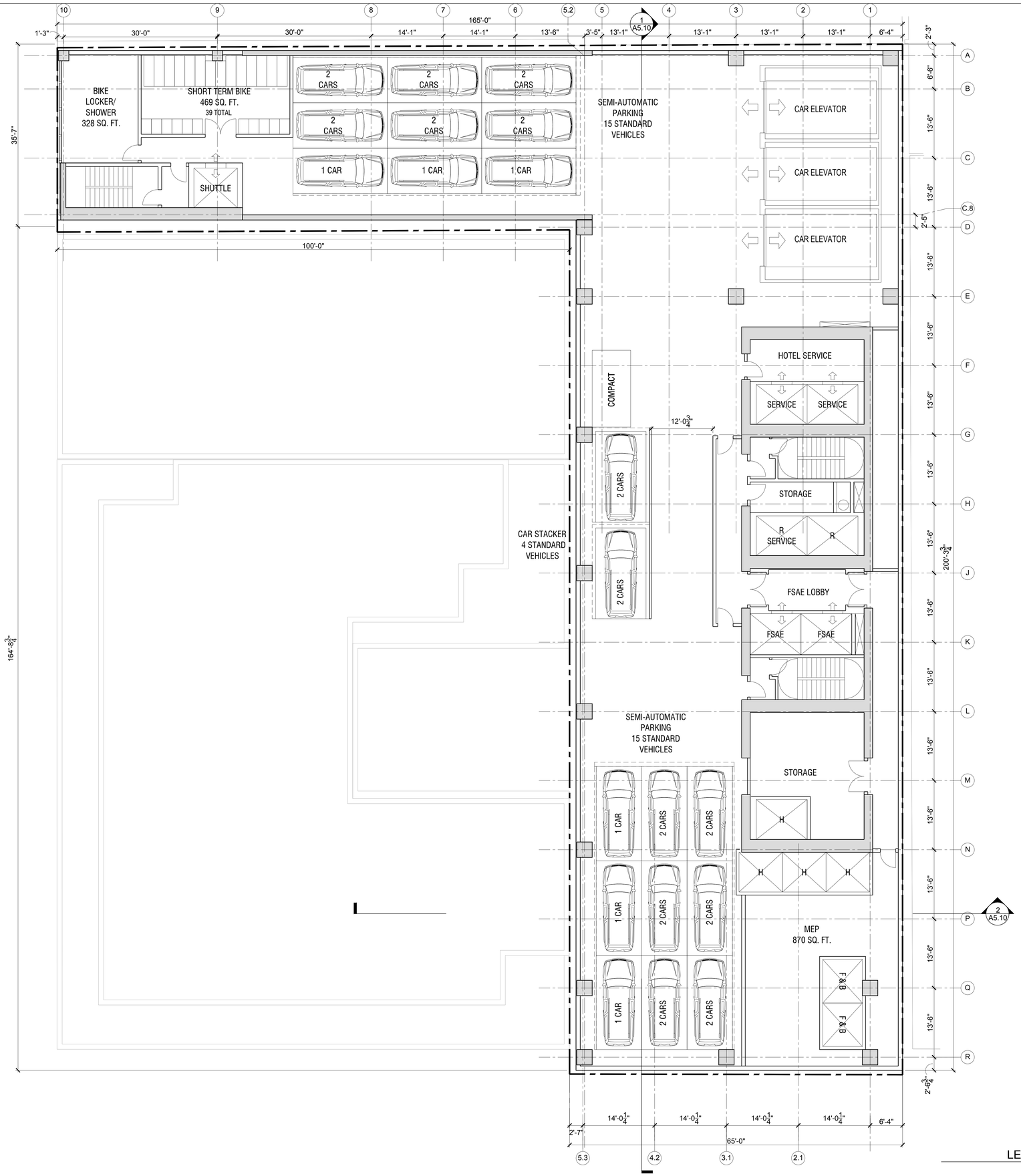

LEVEL 3 - PARKING (1)
SCALE: 1/8"= 1'-0"

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FLOOR PLAN - LEVEL 3 PARKING

Scale:

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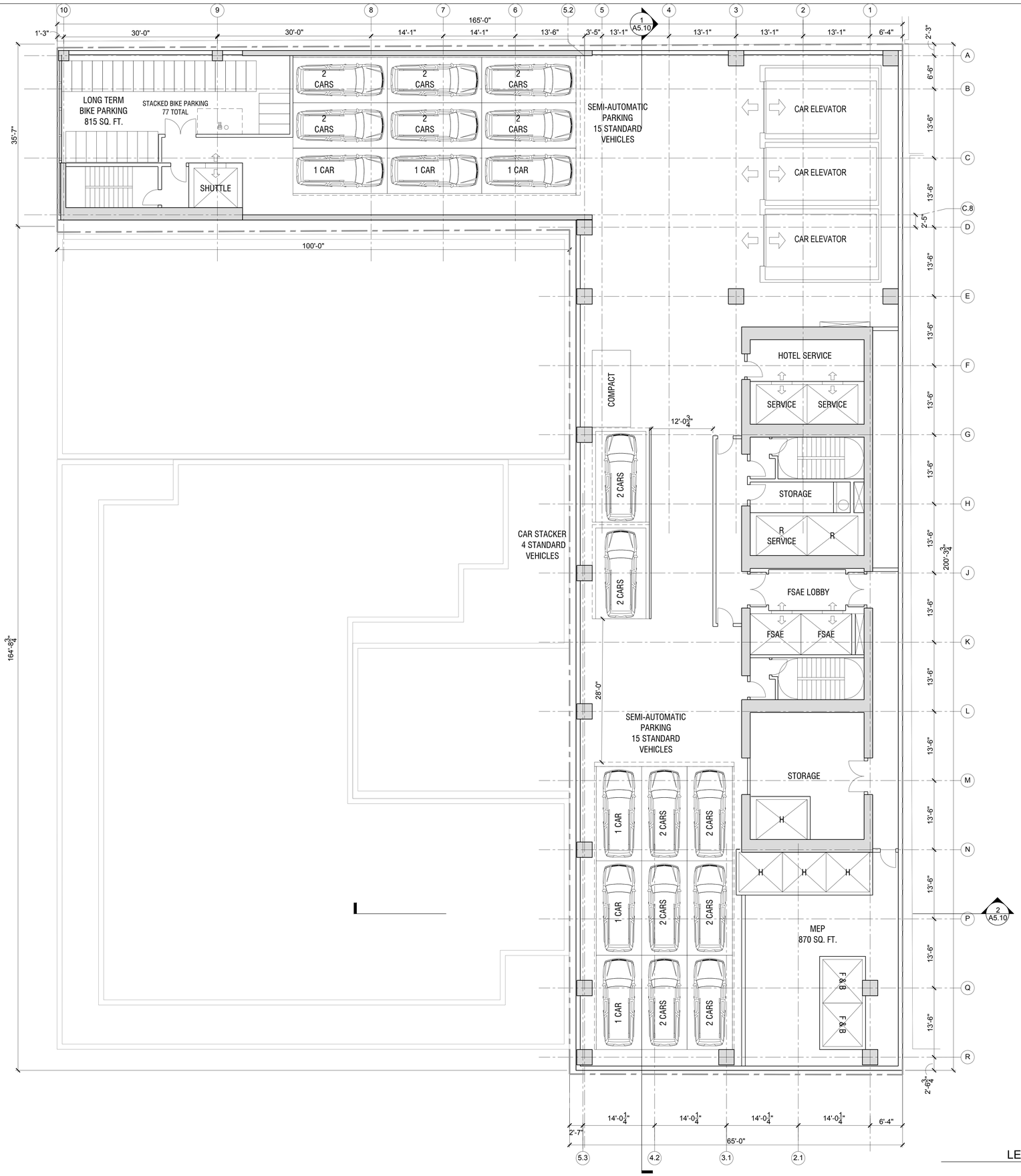

LEVEL 4 - PARKING (1)
SCALE: 1/8"= 1'-0"

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FLOOR PLAN - LEVEL 4
PARKING

Scale:

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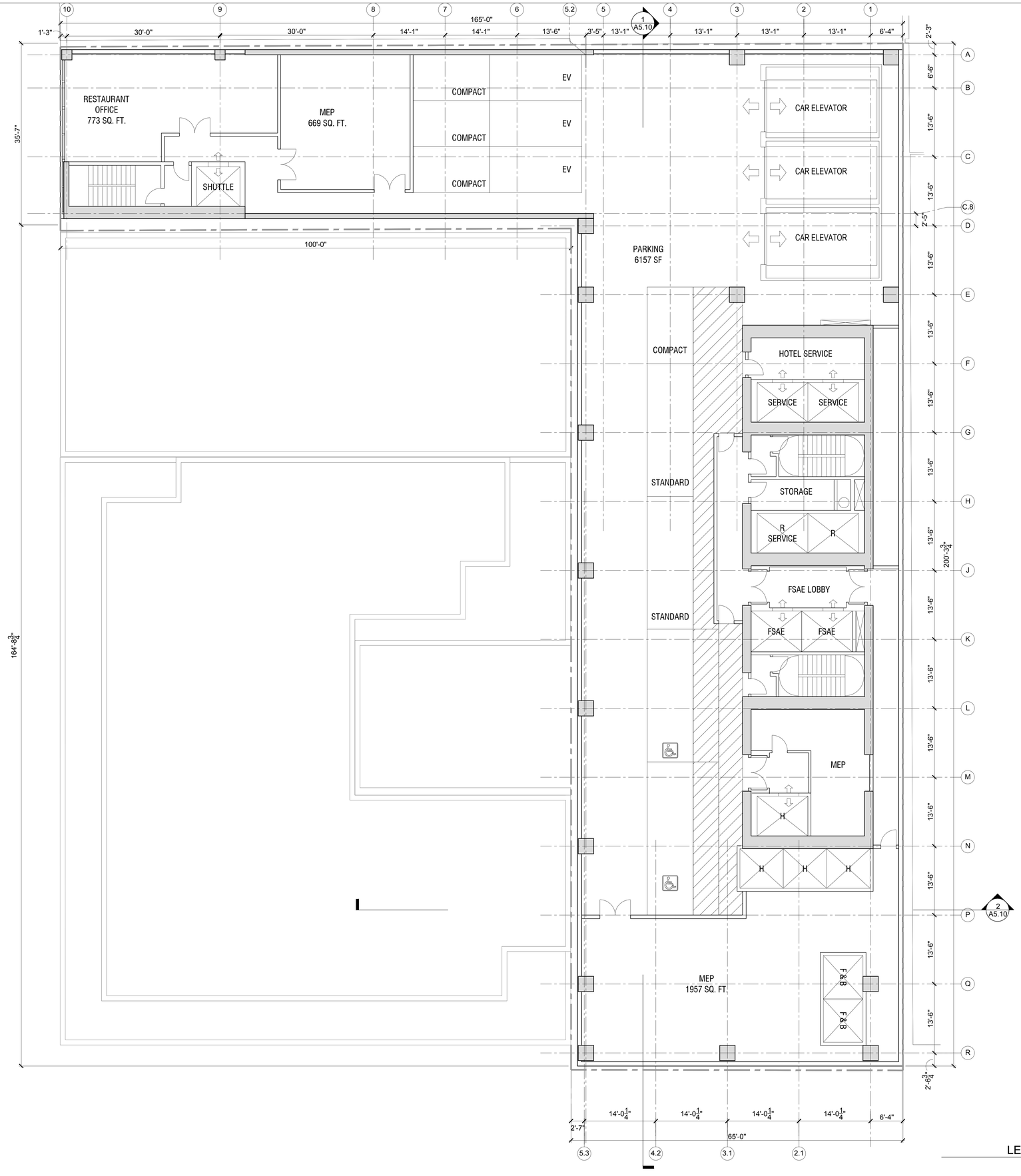

LEVEL 5 - PARKING (1)
SCALE: 1/8"= 1'-0"

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Landscape Architect: MJS LANDSCAPE ARCHITECTURE

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TEL. 949.673.9964

KEY PLAN

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Project No.: 3458

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FLOOR PLAN - LEVEL 5
PARKING

Scale:

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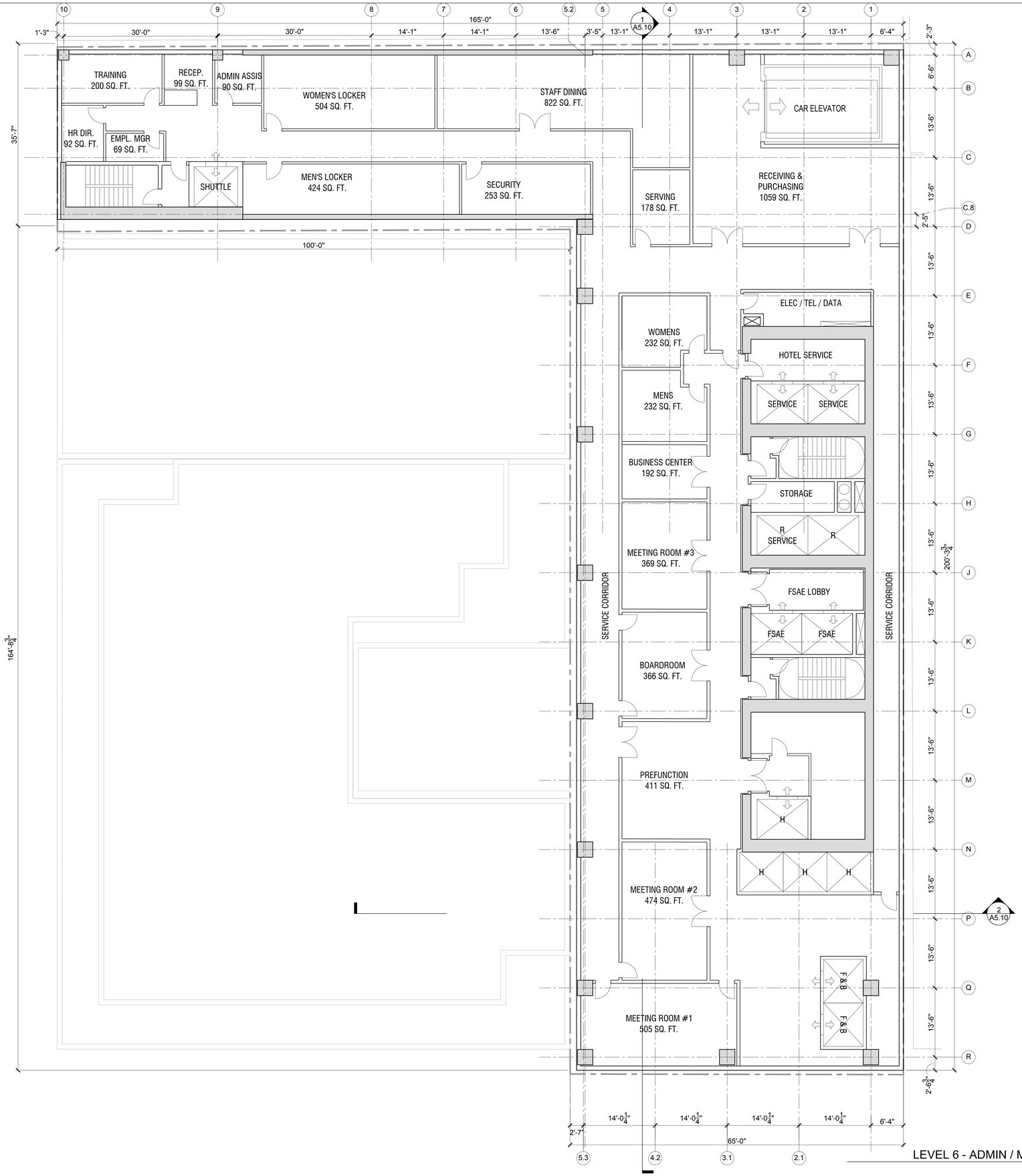

LEVEL 6 - ADMIN / MEETING ROOMS (1)
SCALE: 1/8"= 1'-0"

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5TH & HILL

W 5TH STREET,
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Landscape Architect: MJS LANDSCAPE ARCHITECTURE

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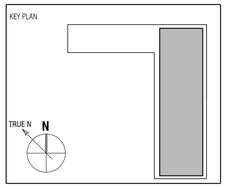
NEWPORT BEACH, CA 92663
TEL. 949.673.9964

KEY PLAN



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Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL 6
ADMIN / MEETING RMS

Scale:

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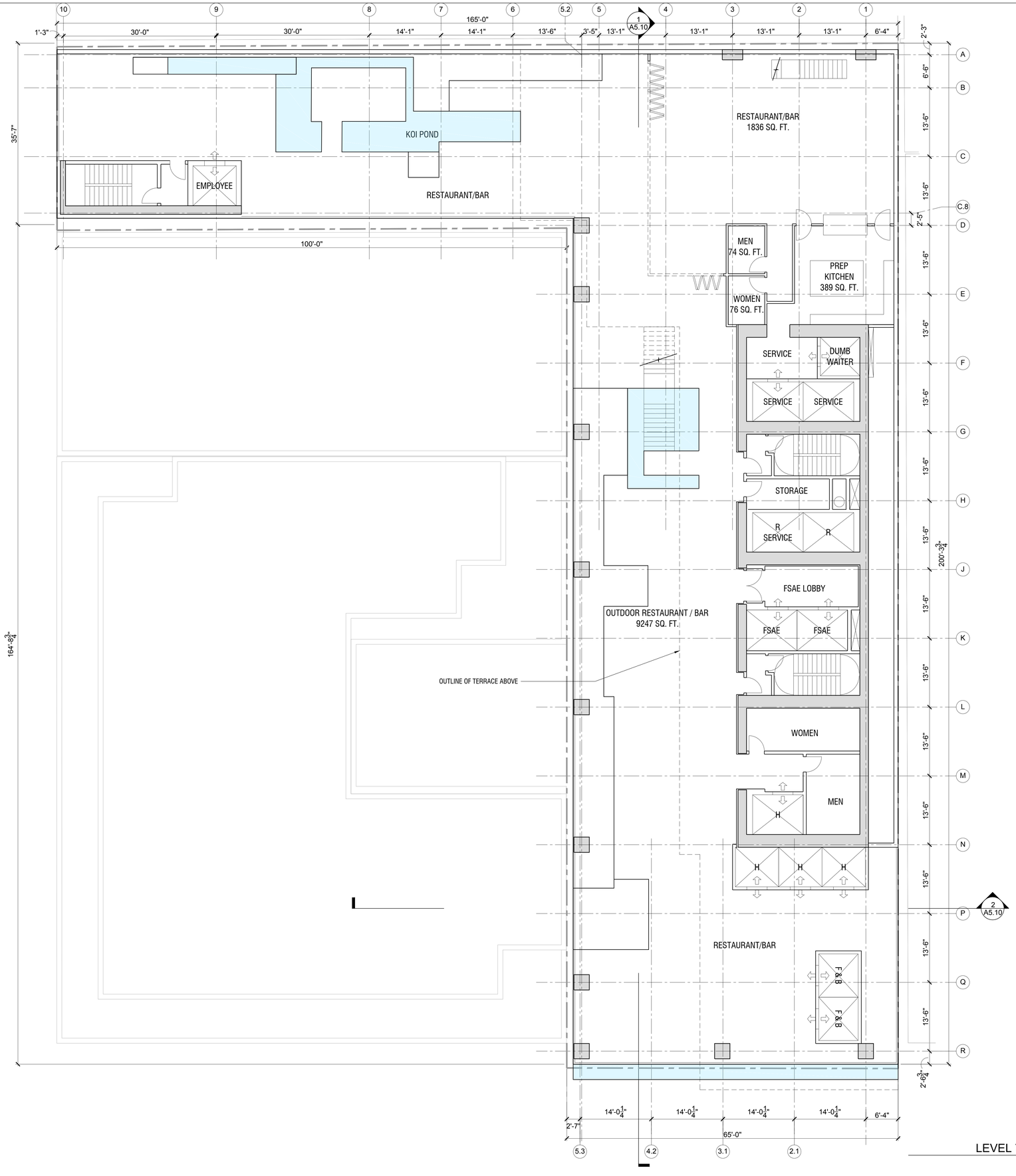

LEVEL 7 - RESTAURANT (1)
SCALE: 1/8"= 1'-0"

5TH & HILL

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LOS ANGELES CA 90013

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Full Size Print: 30" x 42"

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FLOOR PLAN - LEVEL 7
RESTAURANT

Scale:

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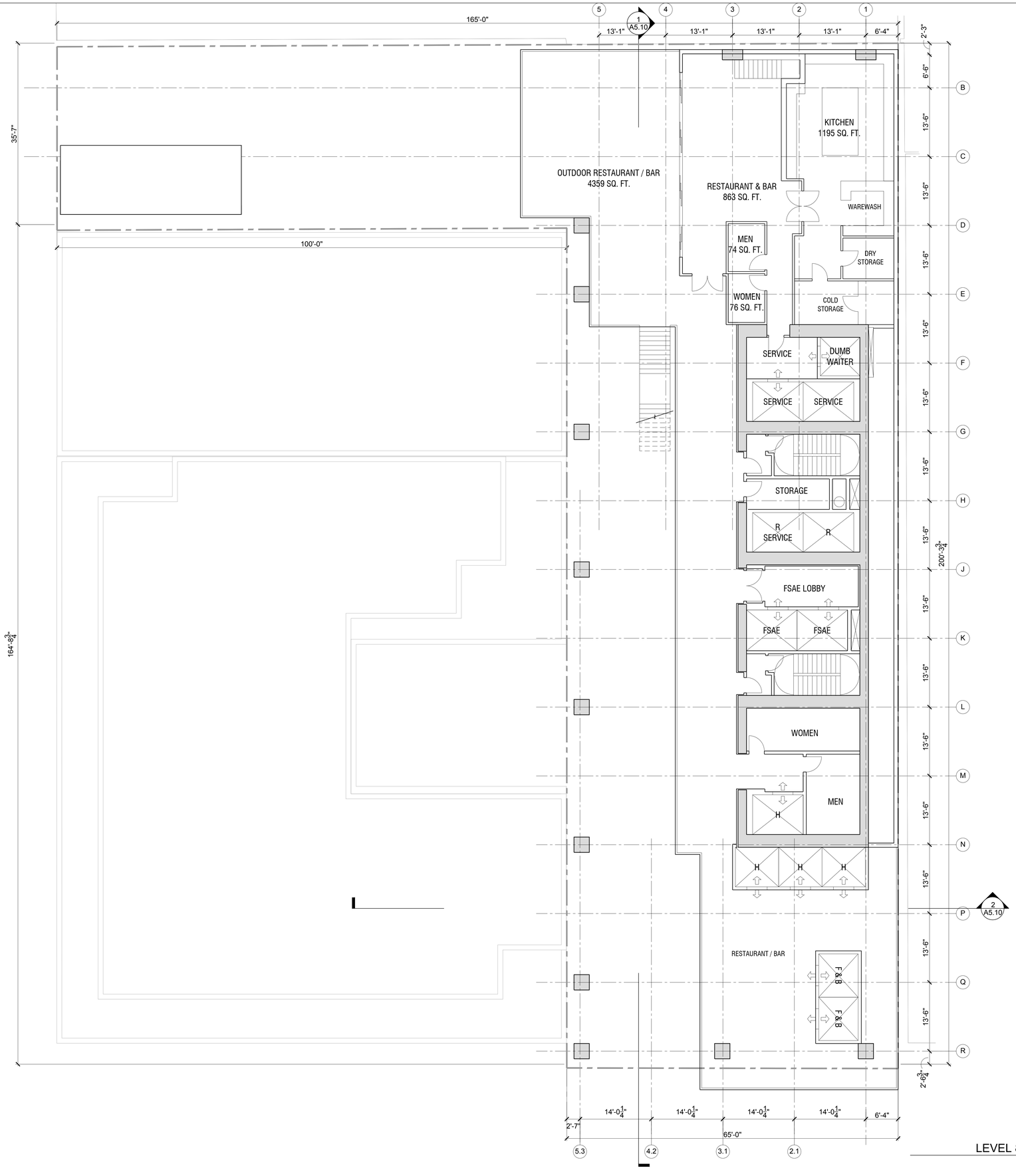

LEVEL 8 - RESTAURANT (1)
SCALE: 1/8"= 1'-0"

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5TH & HILL

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Landscape Architect: MJS LANDSCAPE ARCHITECTURE

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FLOOR PLAN - LEVEL 8
RESTAURANT

Scale:

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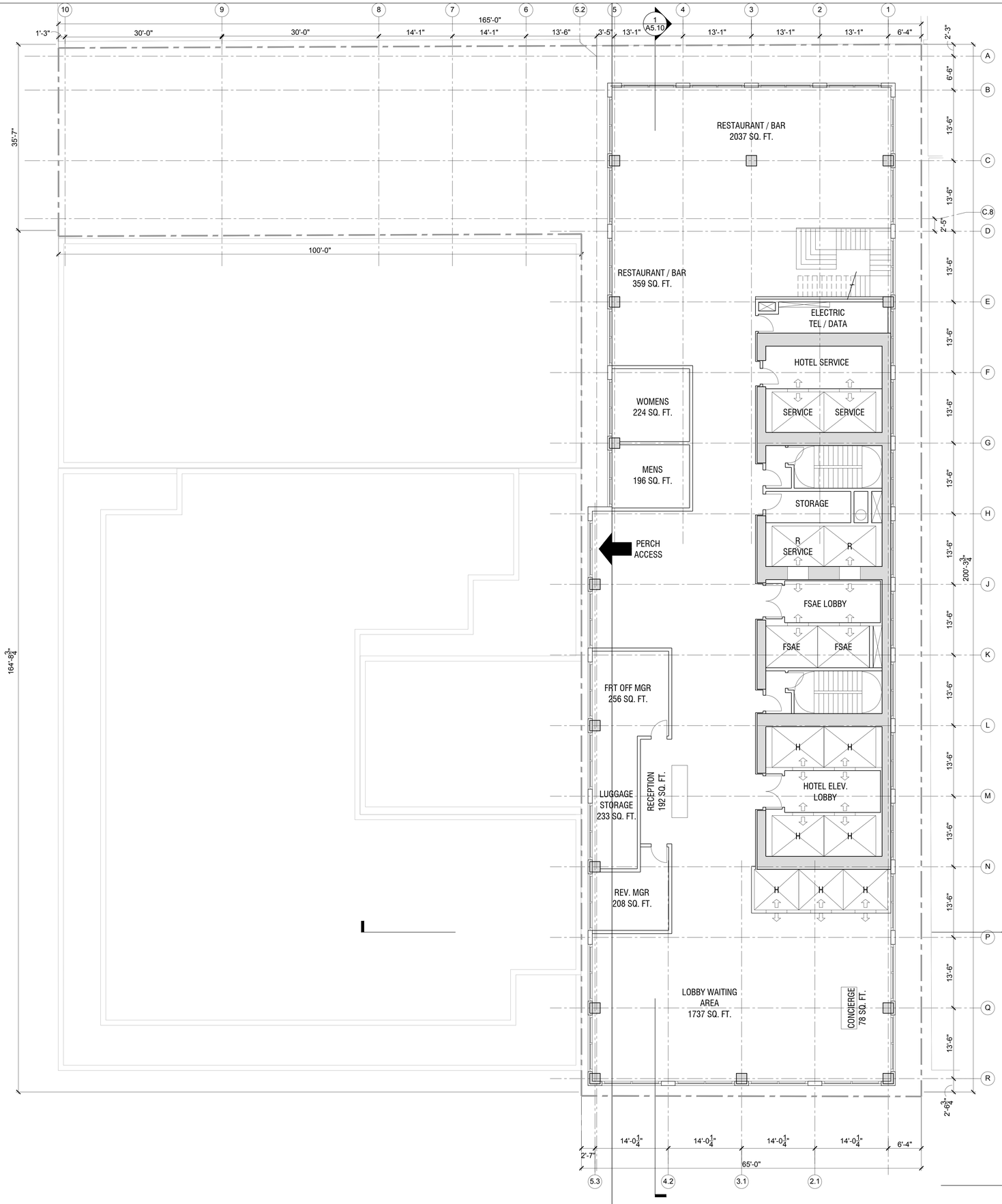

LEVEL 13 - SKY LOBBY (1)
SCALE: 1/8"= 1'-0"

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Sheet Title:

FLOOR PLAN - LEVEL 13
SKY LOBBY

Scale:

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A2.13A

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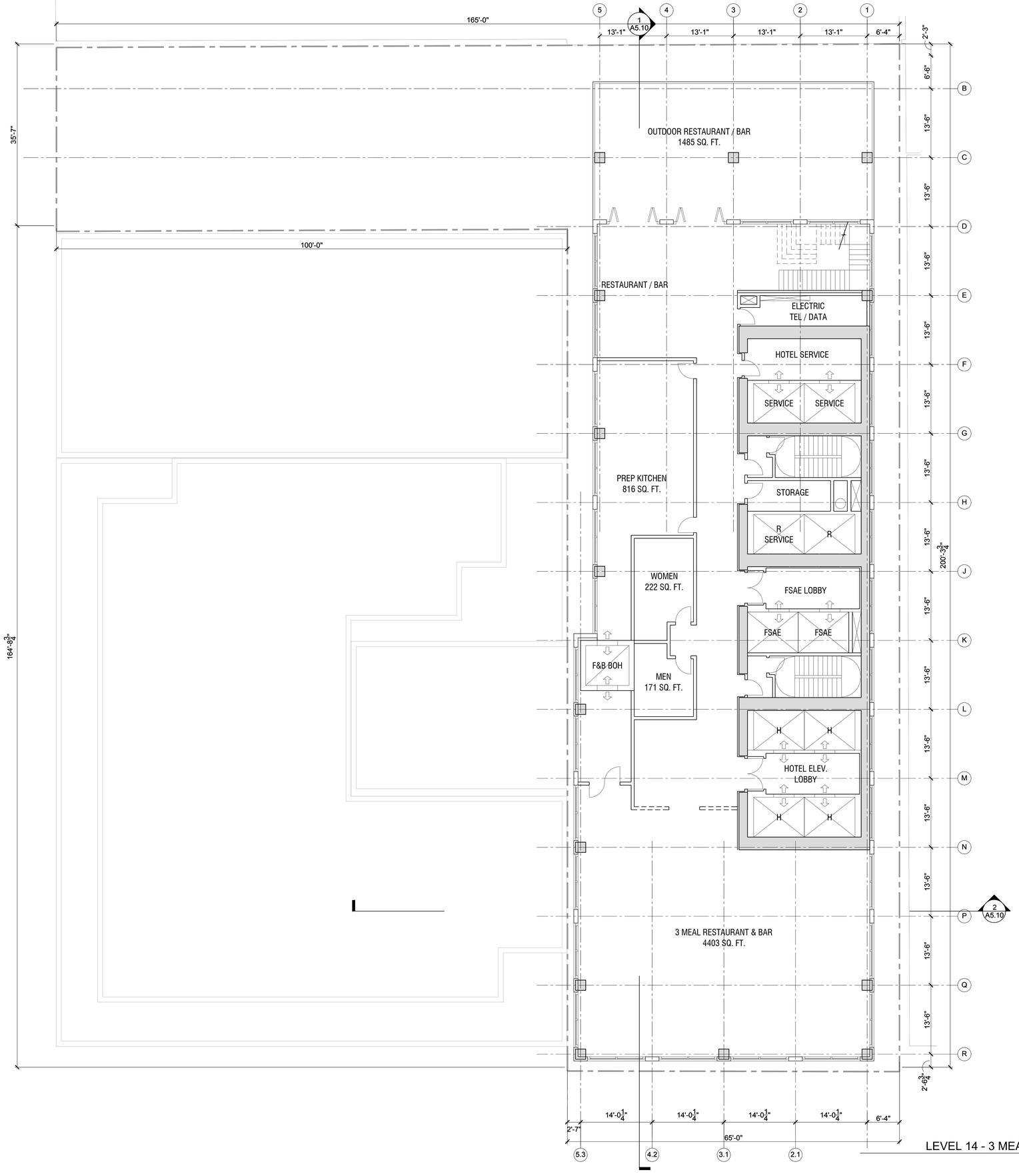

LEVEL 14 - 3 MEAL RESTAURANT (1)
SCALE: 1/8"= 1'-0"

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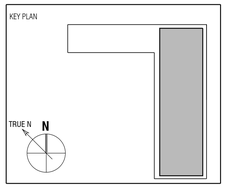

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FLOOR PLAN - LEVEL 14
3 MEAL RESTAURANT

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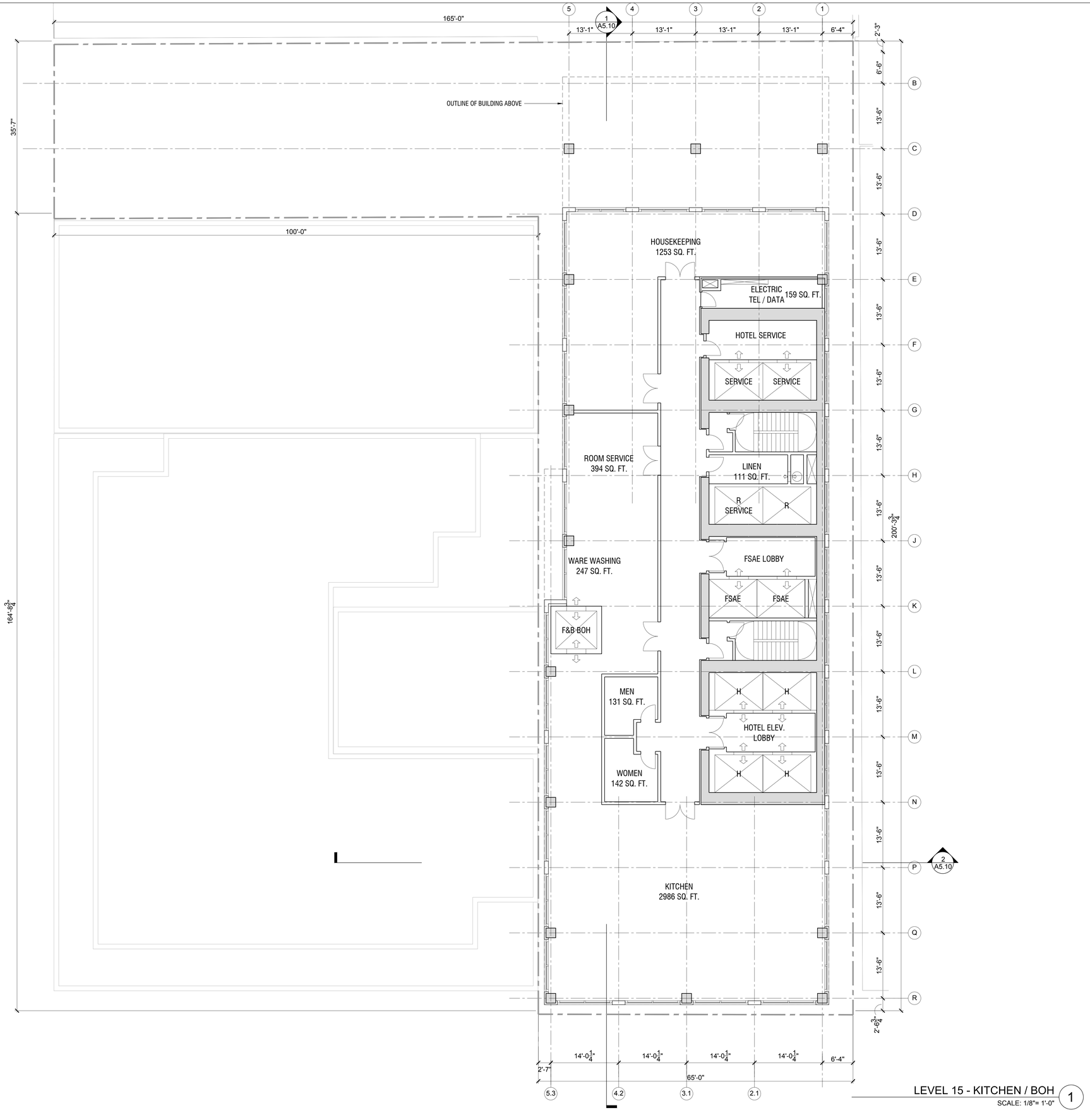

LEVEL 15 - KITCHEN / BOH (1)
SCALE: 1/8"= 1'-0"

8/27/2019 9:52 AM

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FLOOR PLAN - LEVEL 15
KITCHEN / BOH

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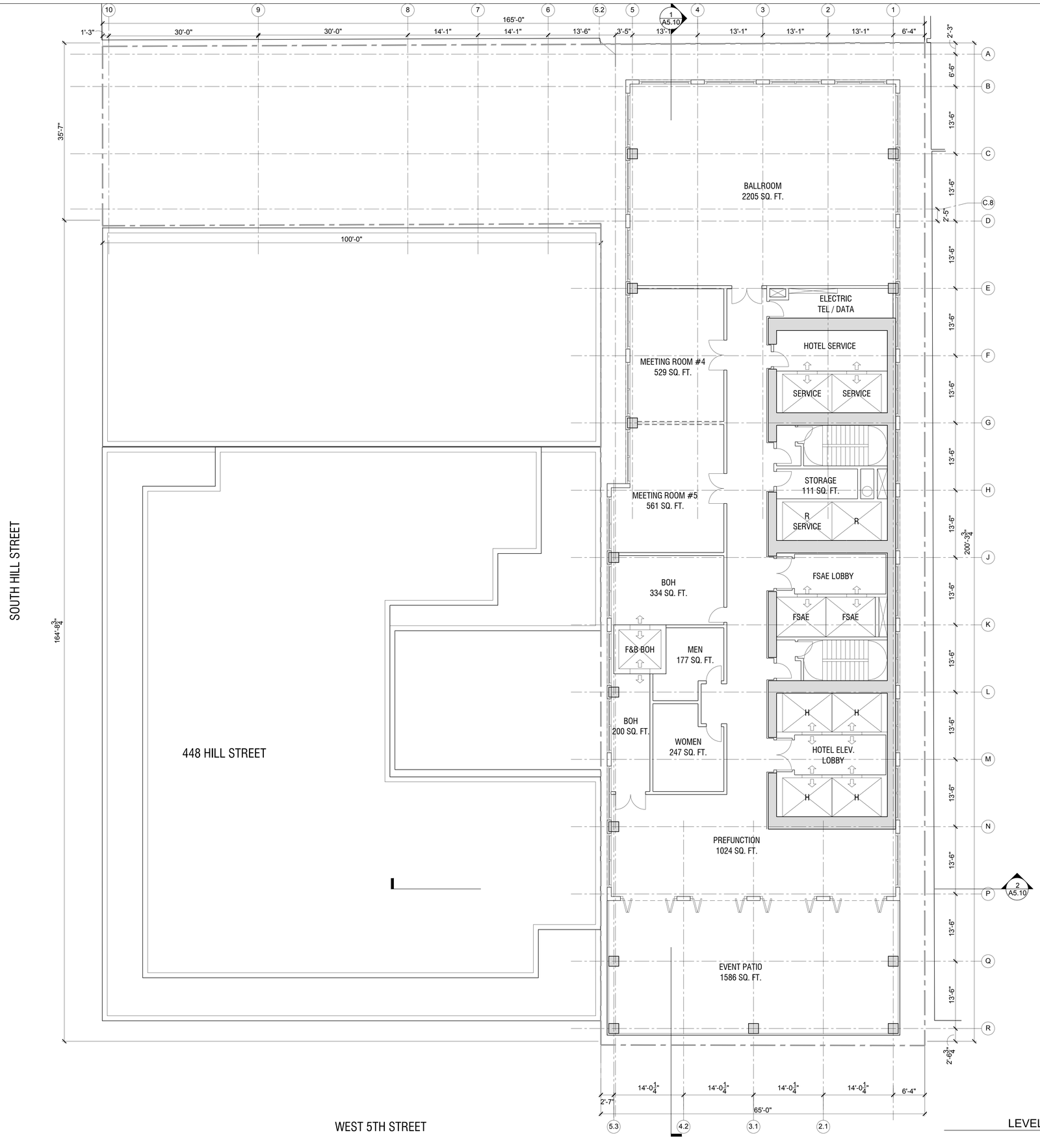

5TH & HILL

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LOS ANGELES CA 90013

Owner:

JMF DEVELOPMENT LLC

448 S. Hill Street, Suite 608, Los Angeles, CA 90013
TEL. 213.622.2929 Ext. 401 | FAX. (213) 622-0092

Architect: **ARQUITECTONICA**

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FAX. 213.895.7808

Landscape Architect: MJS LANDSCAPE ARCHITECTURE

507 30TH STREET
NEWPORT BEACH, CA 92663
TEL. 949.673.9964

KEY PLAN

TRUE N N

Seal / Signature:

Project No.: 3458

Rev/No.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL 16
BALLROOM

Scale:

NOT FOR CONSTRUCTION

A2.16A

8/27/2019 9:53 AM

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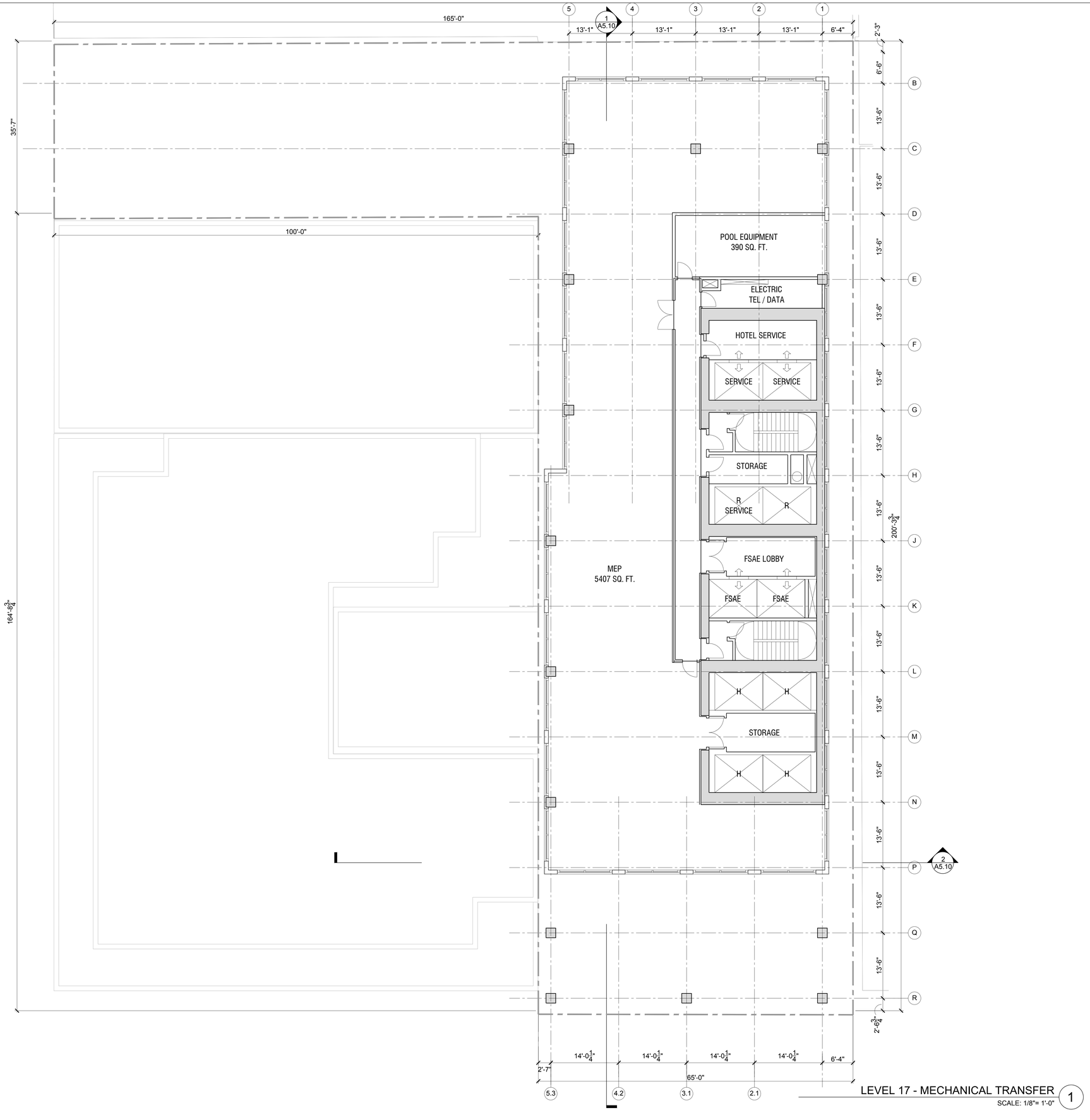

LEVEL 17 - MECHANICAL TRANSFER (1)

SCALE: 1/8"= 1'-0"

8/27/2019 9:53 AM

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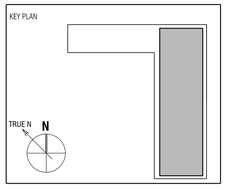
KEY PLAN



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	03/19/2019	HEARING PLAN SET
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Sheet Title:

FLOOR PLAN - LEVEL 17
MECHANICAL TRANSFER

Scale:

NOT FOR CONSTRUCTION

A2.17A

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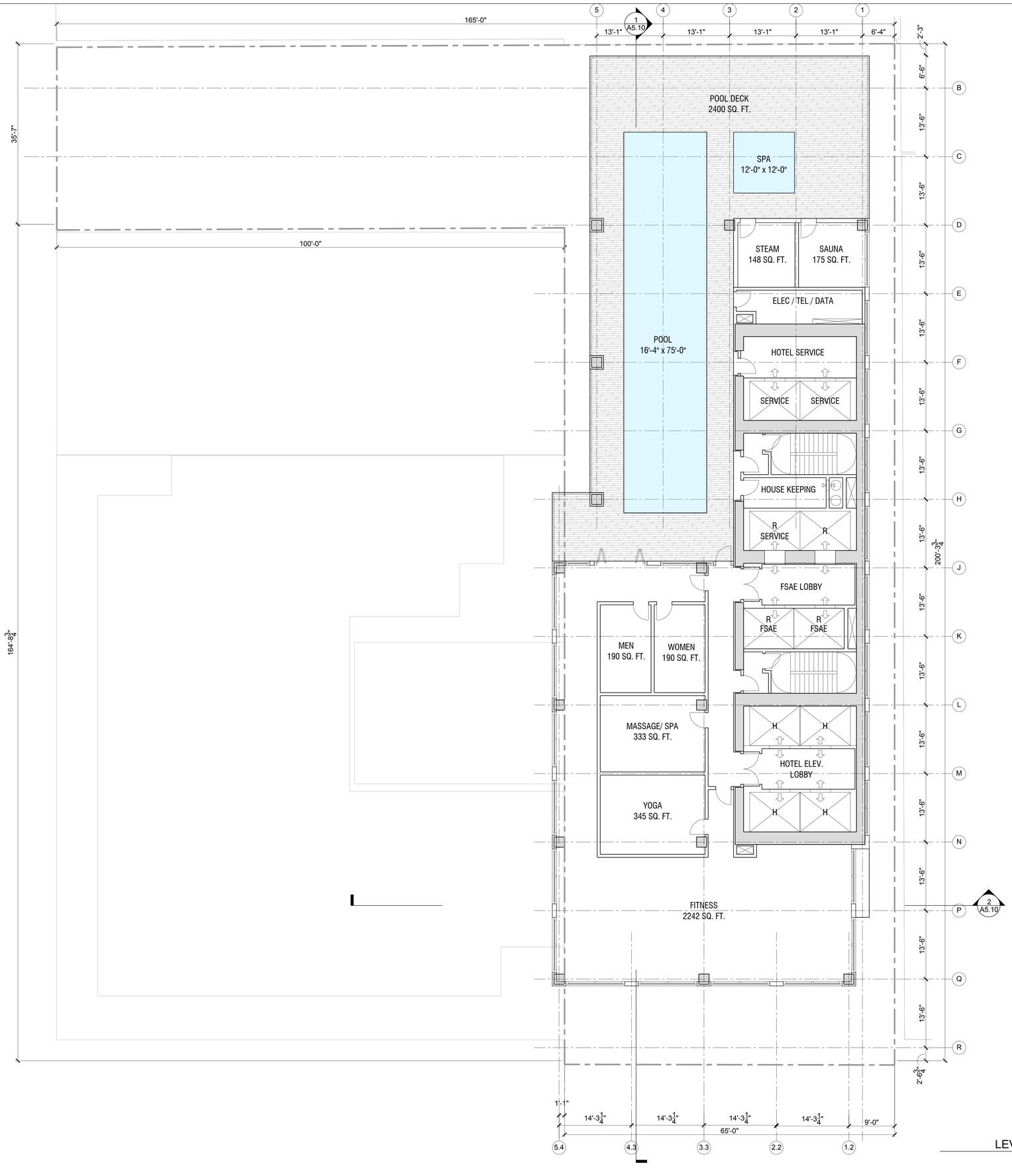

LEVEL 19 - FITNESS (1)
SCALE: 1/8"= 1'-0"

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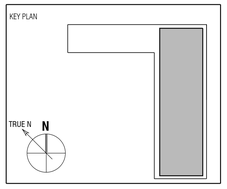

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Sheet Title:

FLOOR PLAN - LEVEL 19
FITNESS

Scale:

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A2.19A

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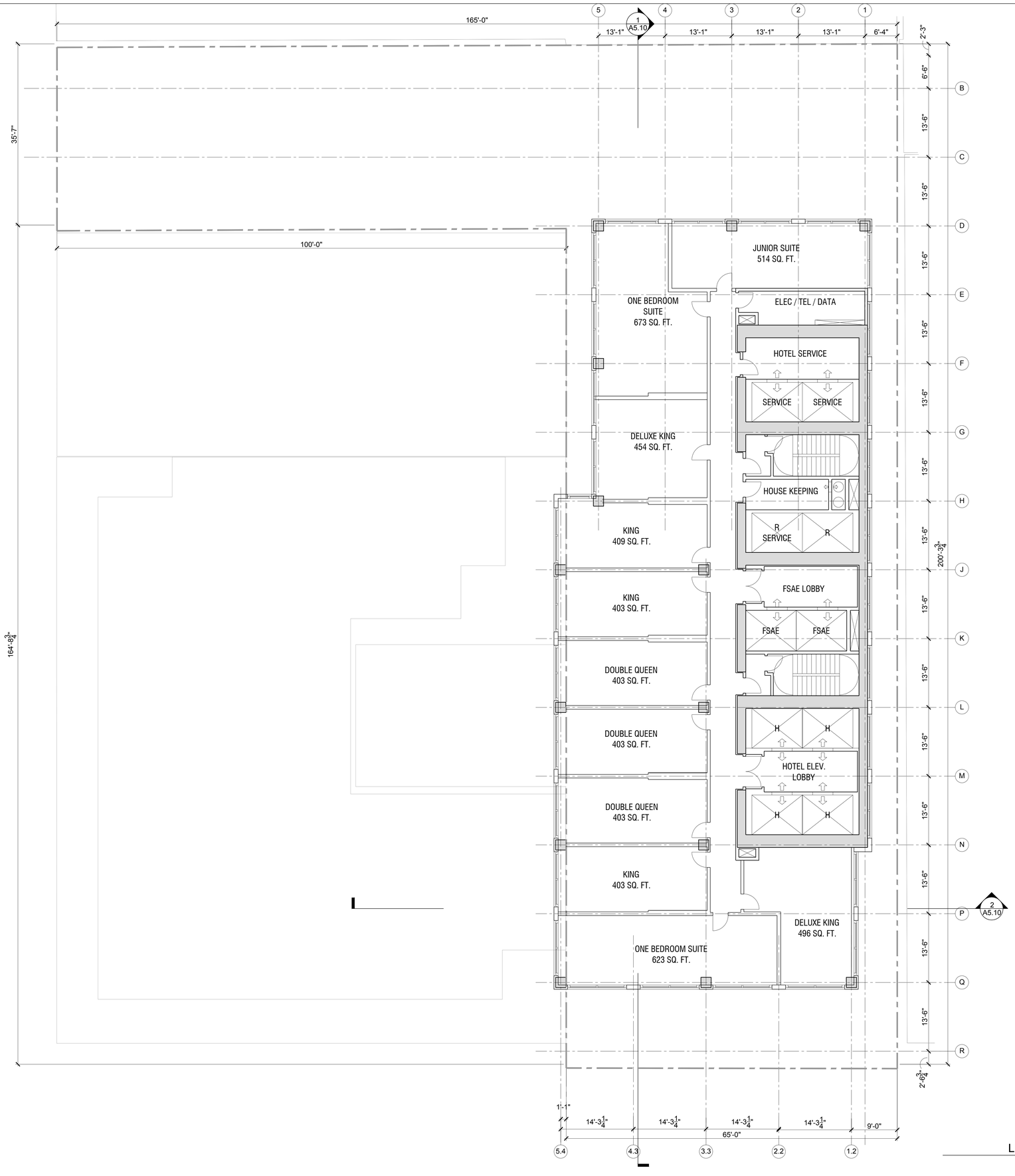

LEVEL 20 - HOTEL (1)
SCALE: 1/8"= 1'-0"

8/27/2019 9:56 AM

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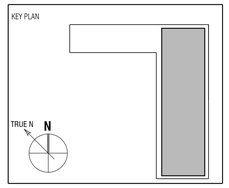

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FLOOR PLAN - LEVEL 20
HOTEL

Scale:

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A2.20A

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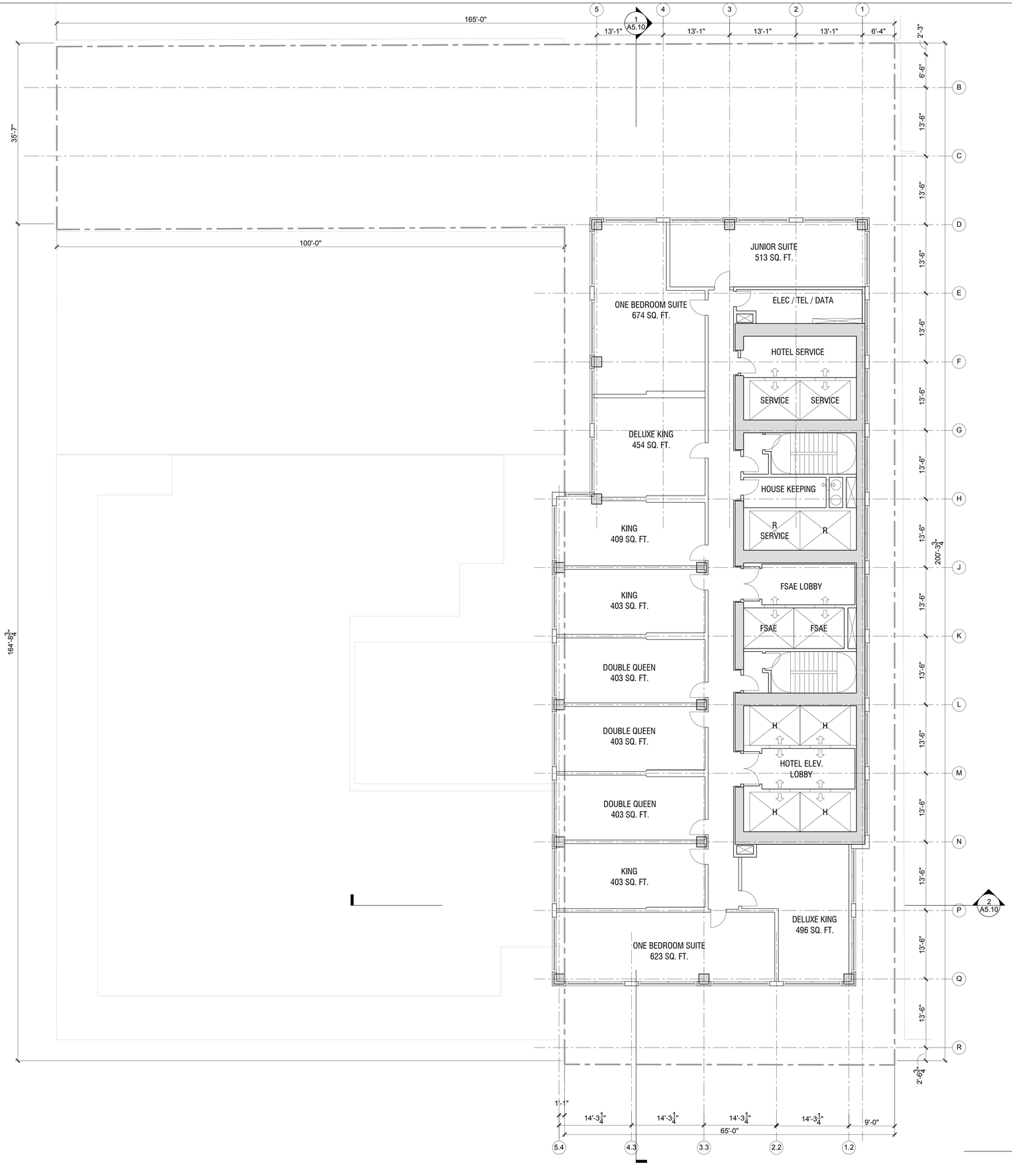

LEVEL 21 - HOTEL (1)
SCALE: 1/8"= 1'-0"

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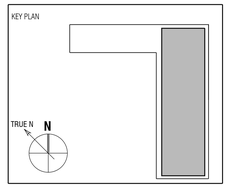

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FLOOR PLAN - LEVEL 21
HOTEL

Scale:

A2.21A

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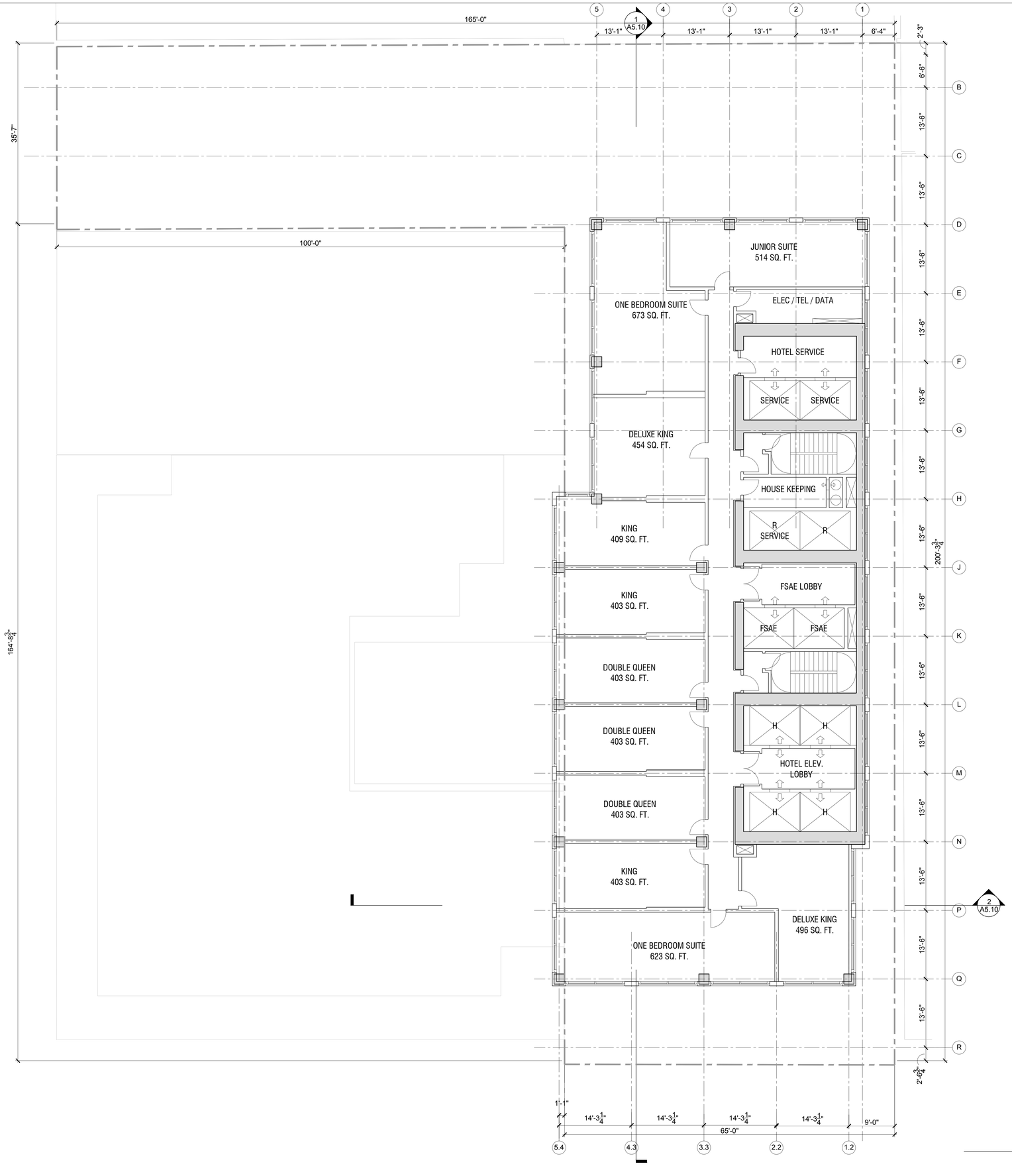

LEVEL 22 - HOTEL (1)
SCALE: 1/8"= 1'-0"

8/27/2019 9:58 AM

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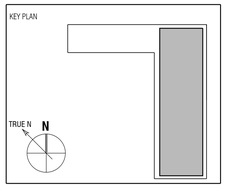

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FLOOR PLAN - LEVEL 22 HOTEL

Scale:

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A2.22A

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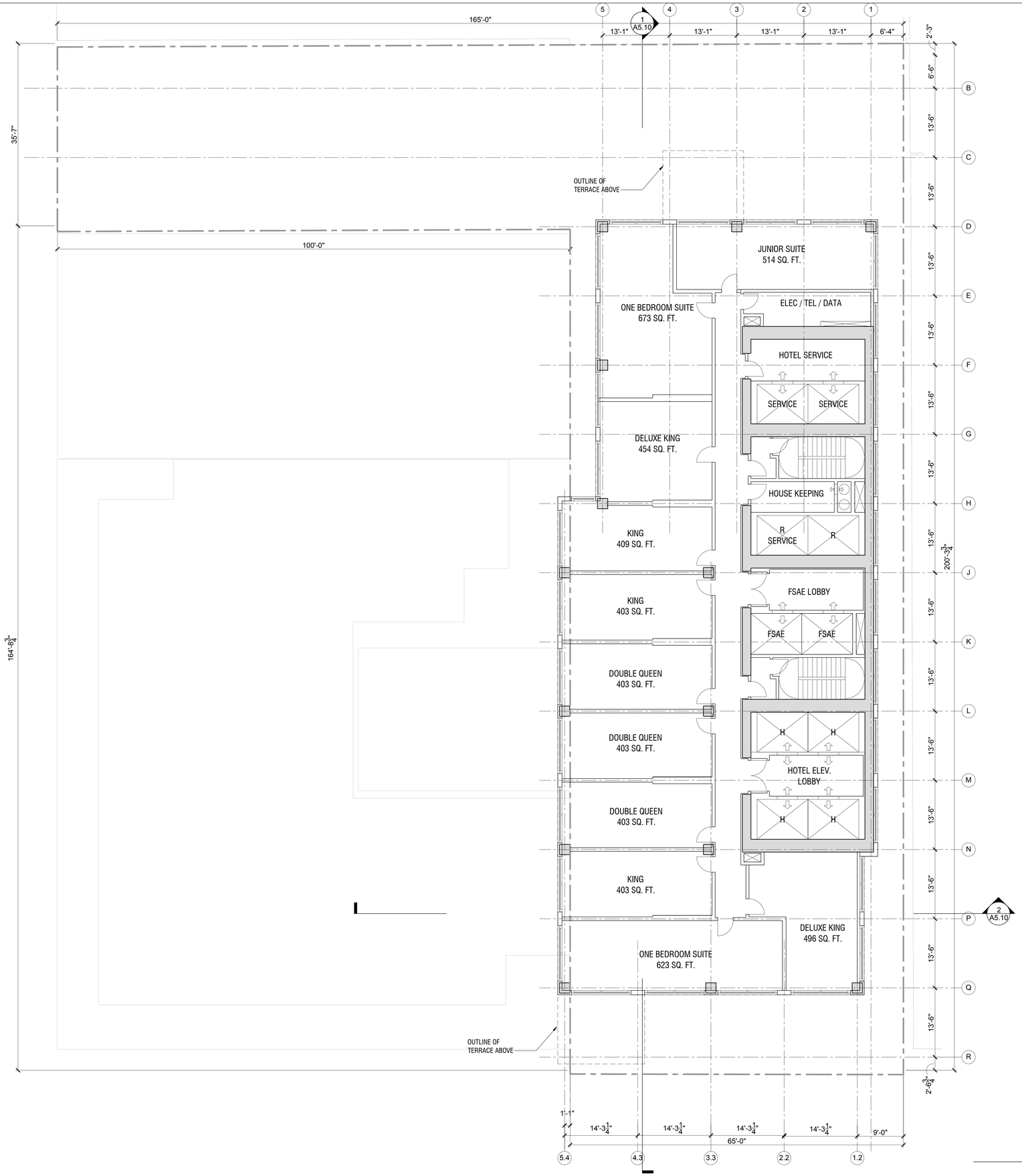

LEVEL 23 - HOTEL (1)
SCALE: 1/8"= 1'-0"

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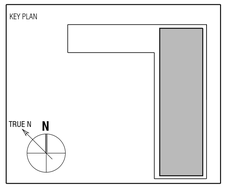

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FLOOR PLAN - LEVEL 23
HOTEL

Scale:

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A2.23A

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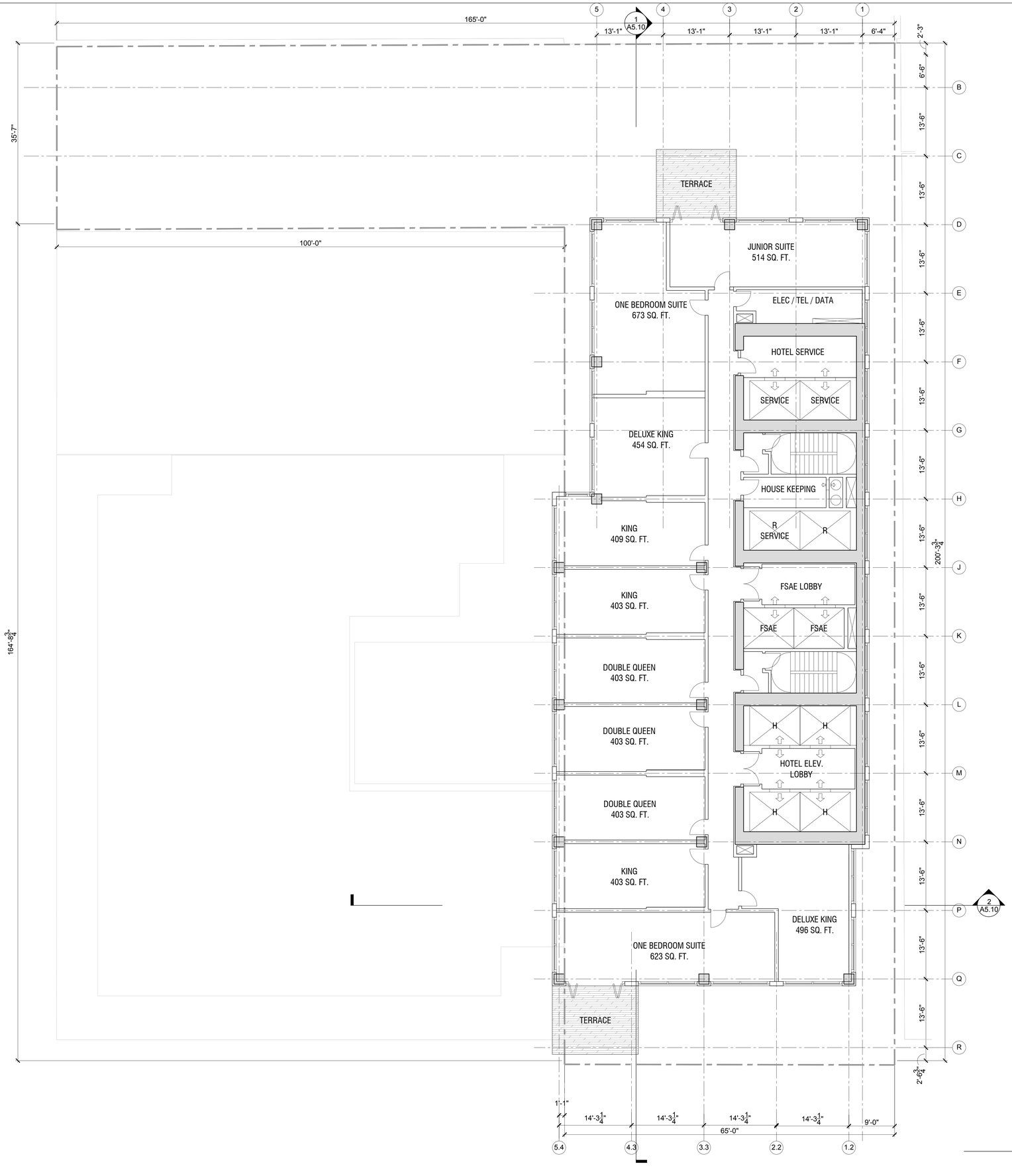

LEVEL 24 - HOTEL (1)
SCALE: 1/8"= 1'-0"

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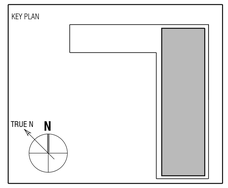
KEY PLAN



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FLOOR PLAN - LEVEL 24
HOTEL

Scale:

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A2.24A

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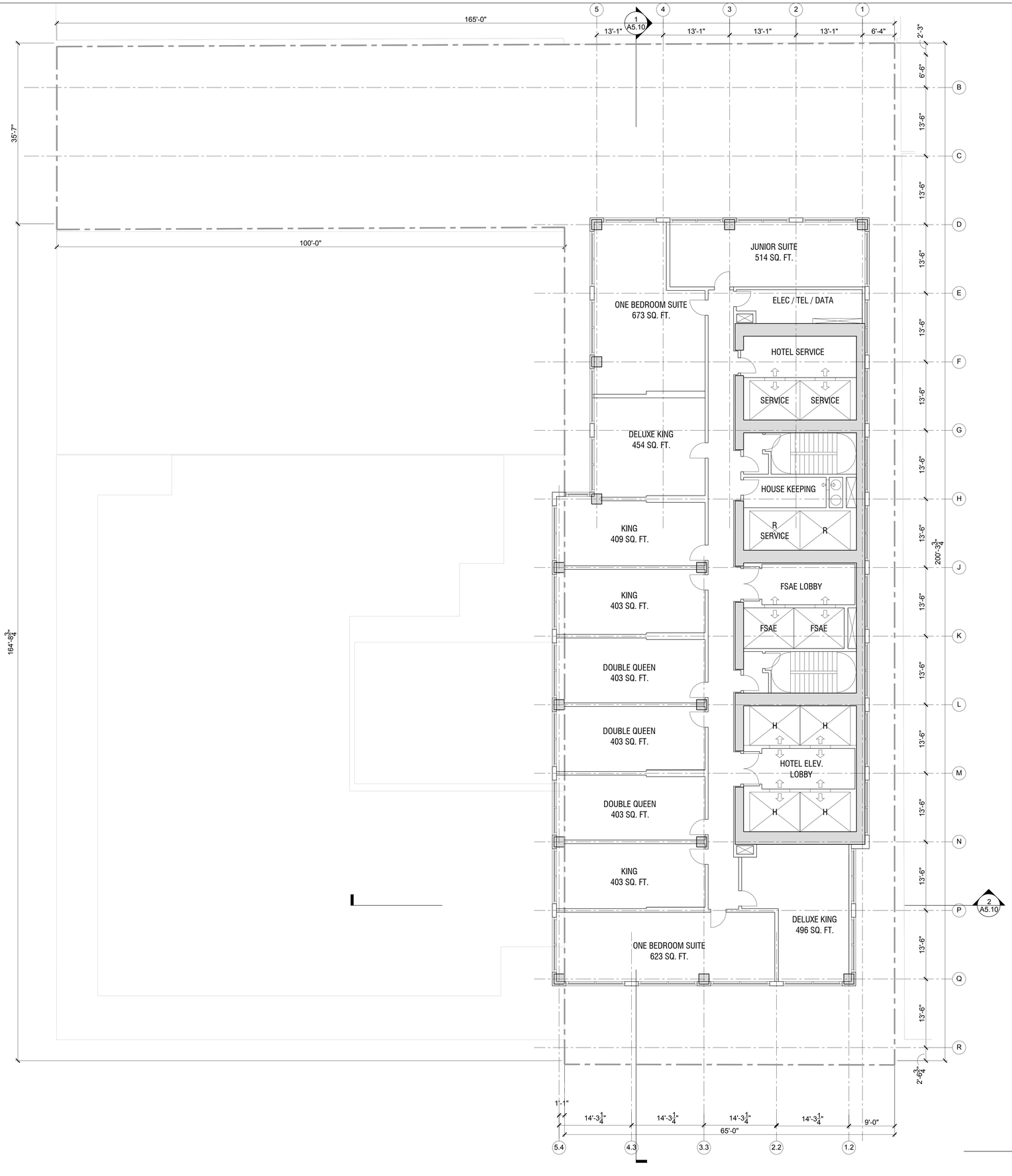

LEVEL 25 - HOTEL (1)
SCALE: 1/8"= 1'-0"

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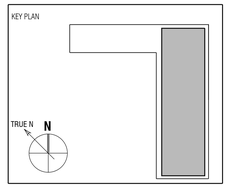

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FLOOR PLAN - LEVEL 25
HOTEL

Scale:

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A2.25A

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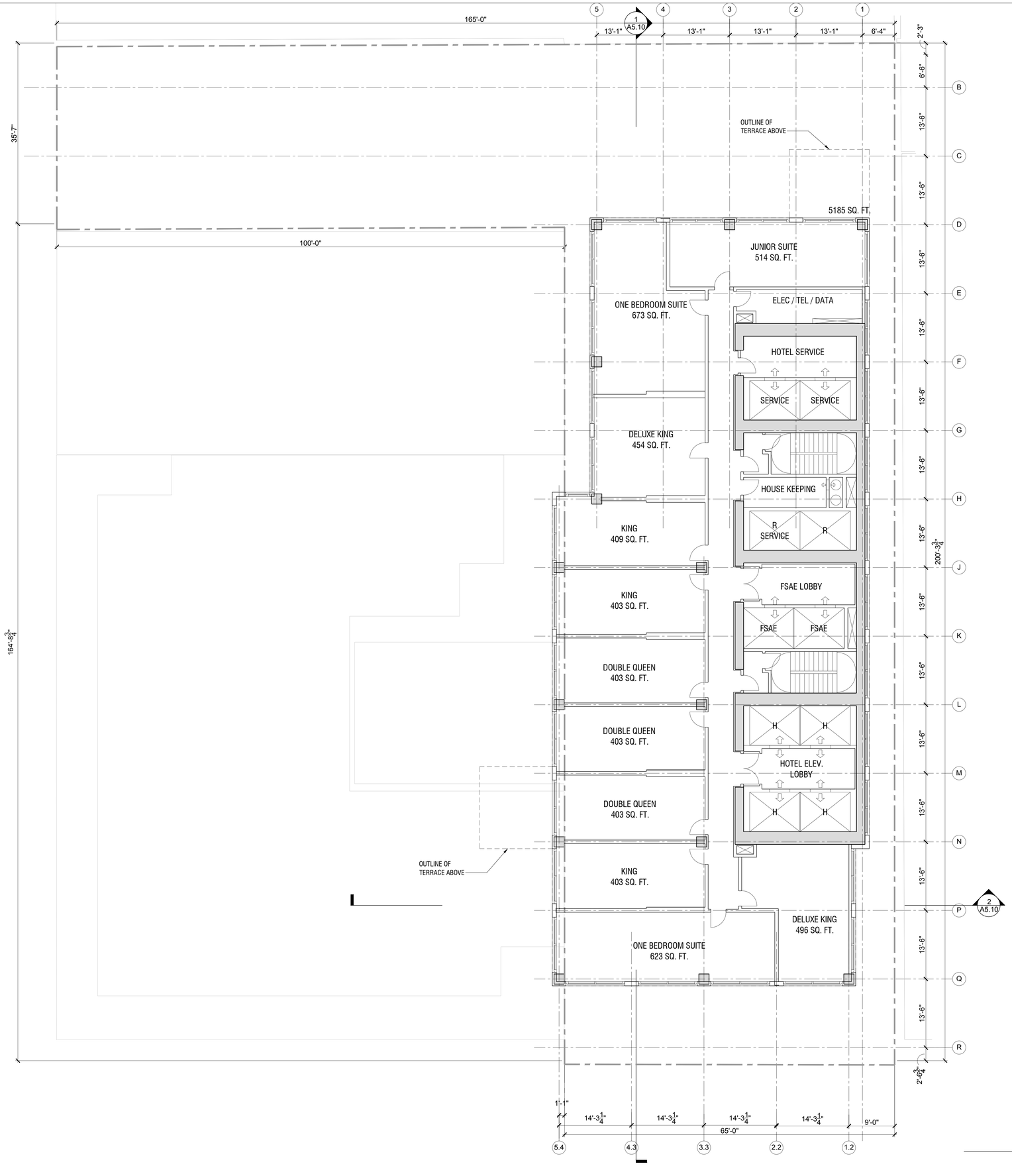

LEVEL 26 - HOTEL (1)
SCALE: 1/8"= 1'-0"

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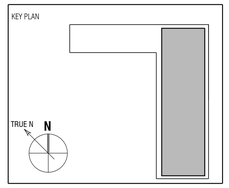

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Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL 26
HOTEL

Scale:

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A2.26A

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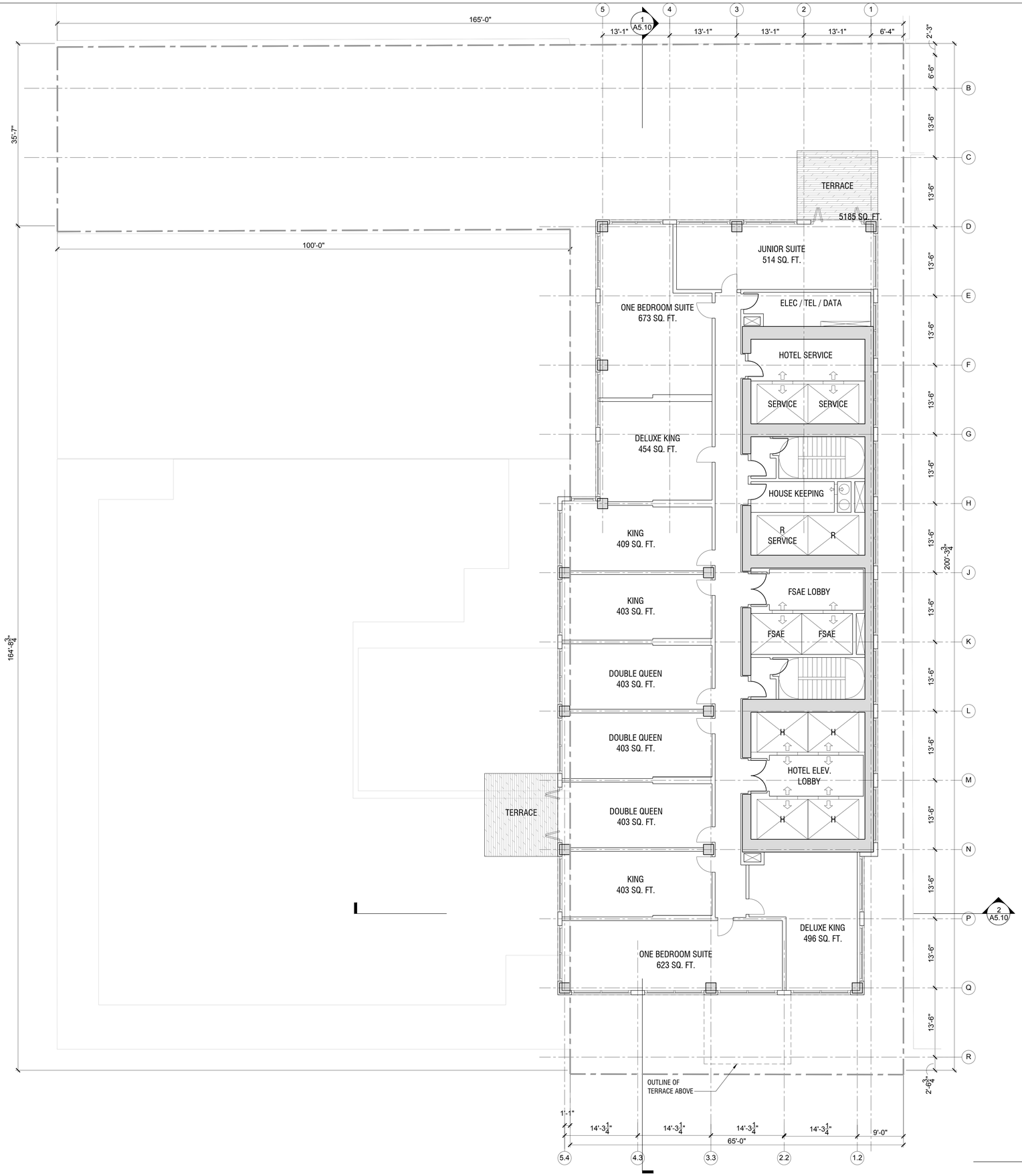

LEVEL 27 - HOTEL (1)
SCALE: 1/8"= 1'-0"

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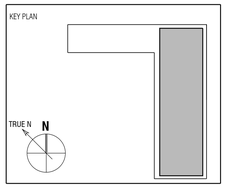

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FLOOR PLAN - LEVEL 27
HOTEL

Scale:

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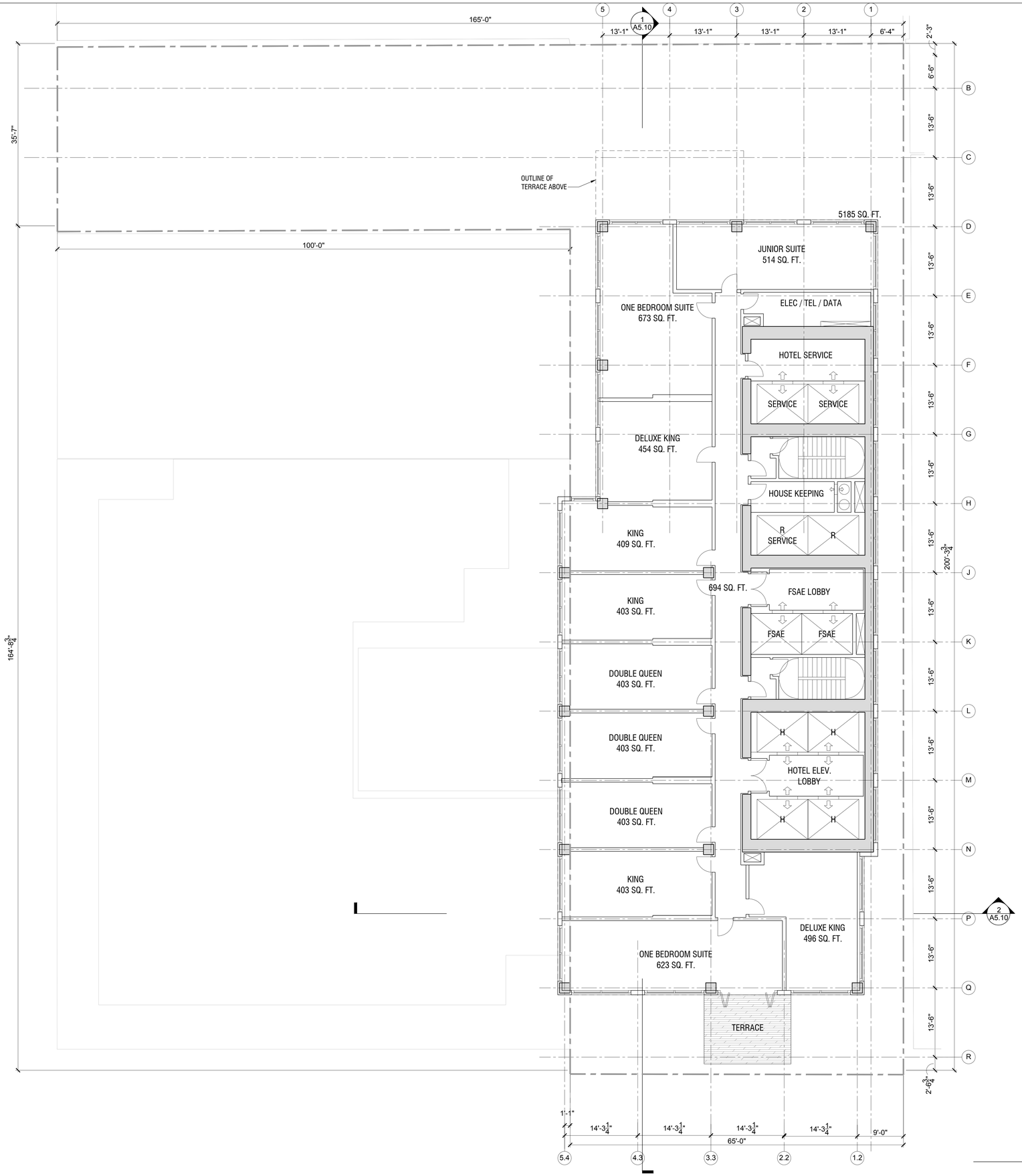

LEVEL 28 - HOTEL (1)
SCALE: 1/8"= 1'-0"

8/27/2019 10:03 AM

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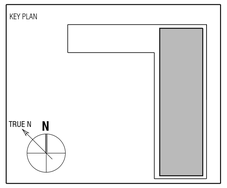
KEY PLAN



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Project No.: 3458

RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL 28
HOTEL

Scale:

NOT FOR CONSTRUCTION

A2.28A

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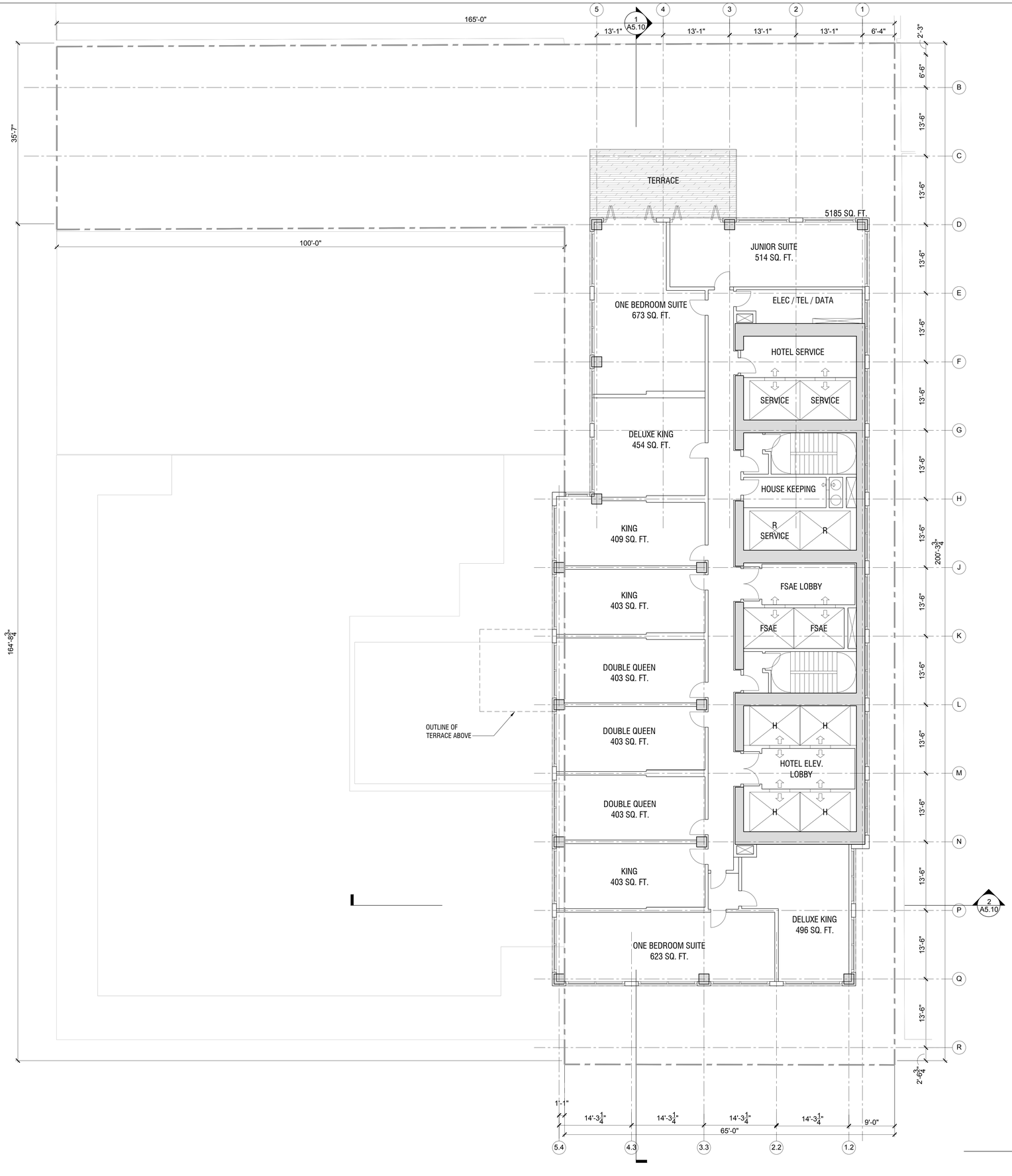

LEVEL 29 - HOTEL (1)
SCALE: 1/8"= 1'-0"

8/27/2019 10:04 AM

5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

Owner:

JMF DEVELOPMENT LLC

448 S. Hill Street, Suite 608, Los Angeles, CA 90013
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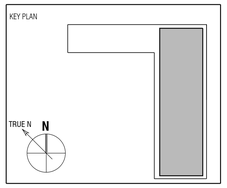
Landscape Architect: MJS LANDSCAPE ARCHITECTURE

507 30TH STREET
NEWPORT BEACH, CA 92663
TEL. 949.673.9964

KEY PLAN



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Rev/No.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

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FLOOR PLAN - LEVEL 29
HOTEL

Scale:

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A2.29A

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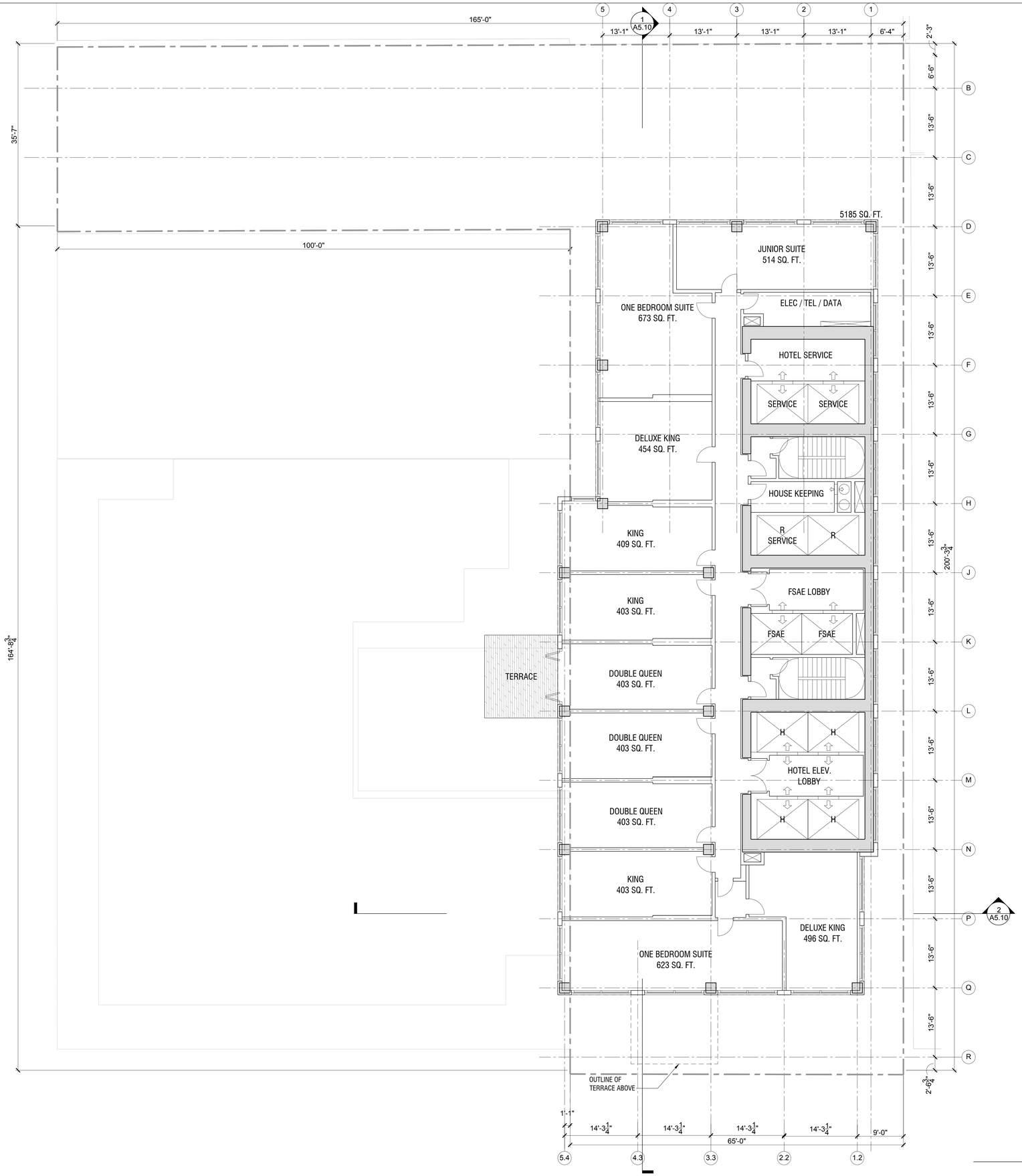

LEVEL 30 - HOTEL (1)
SCALE: 1/8"= 1'-0"

8/27/2019 10:05 AM

5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

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Landscape Architect: MJS LANDSCAPE ARCHITECTURE

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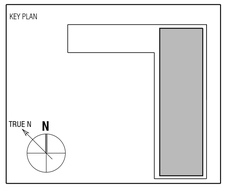
KEY PLAN



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	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
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Sheet Title:

FLOOR PLAN - LEVEL 30
HOTEL

Scale:

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A2.30A

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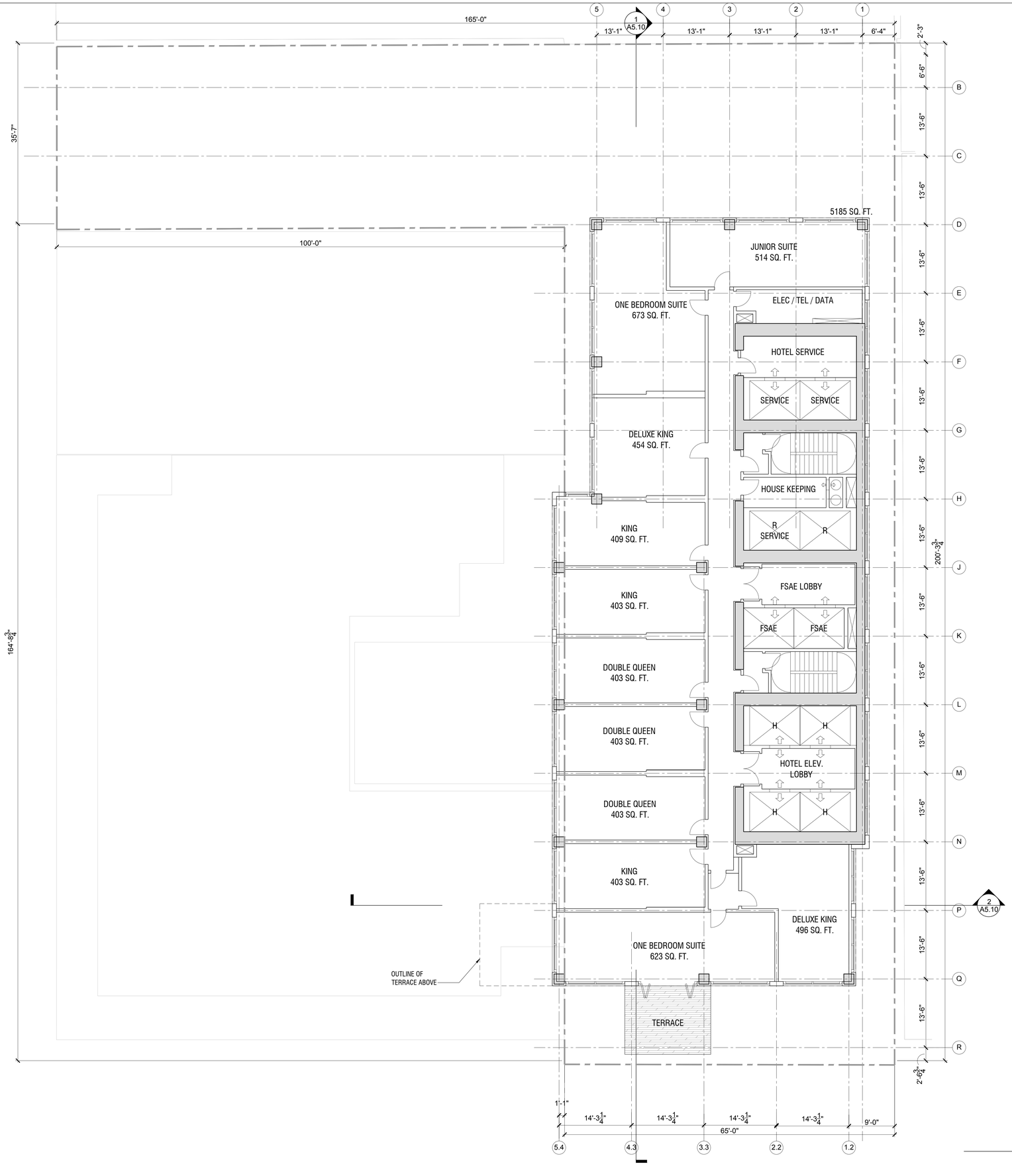

LEVEL 31 - HOTEL (1)
SCALE: 1/8"= 1'-0"

5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

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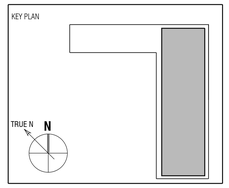
KEY PLAN



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Rev/No.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

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Sheet Title:

FLOOR PLAN - LEVEL 31
HOTEL

Scale:

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A2.31A

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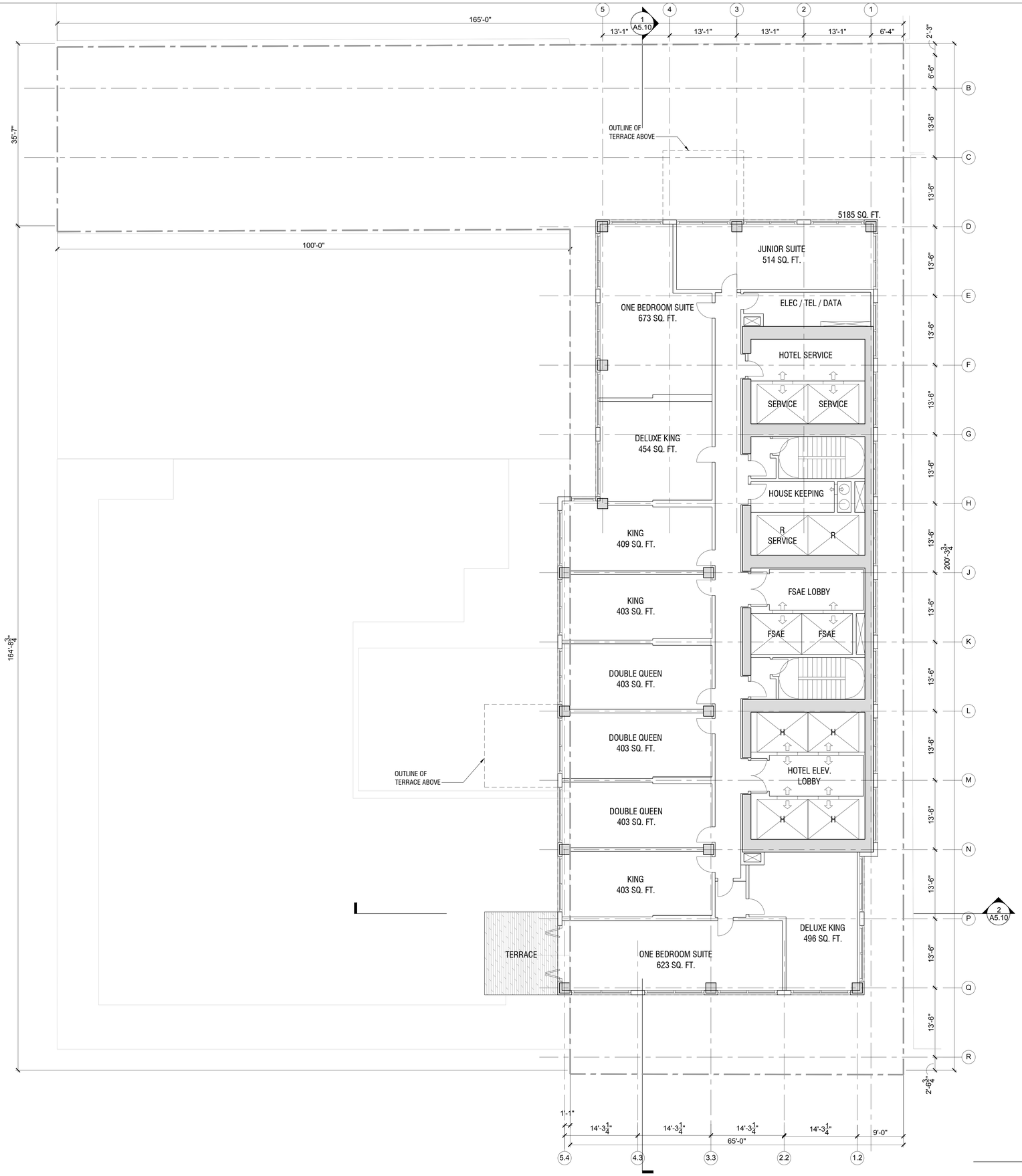

LEVEL 32 - HOTEL (1)
SCALE: 1/8"= 1'-0"

8/27/2019 10:06 AM

5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

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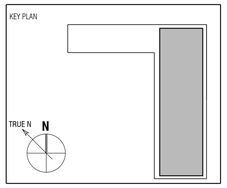
KEY PLAN



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RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
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Sheet Title:

FLOOR PLAN - LEVEL 32
HOTEL

Scale:

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A2.32A

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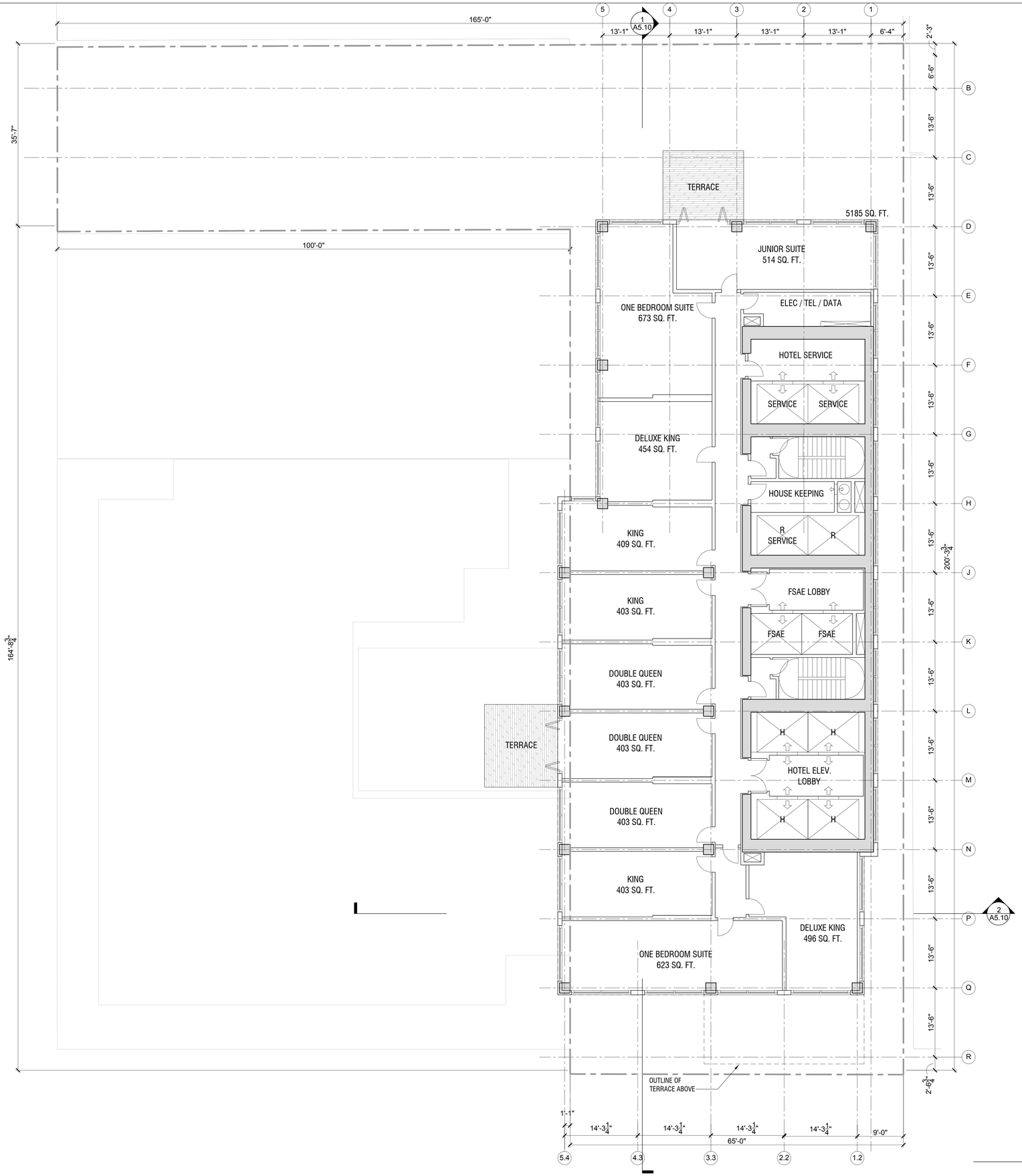

LEVEL 33 - HOTEL (1)
SCALE: 1/8"= 1'-0"

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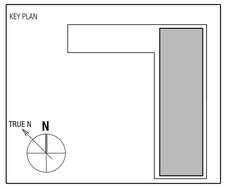
TEL. 949.673.9964

KEY PLAN



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FLOOR PLAN - LEVEL 33
HOTEL

Scale:

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A2.33A

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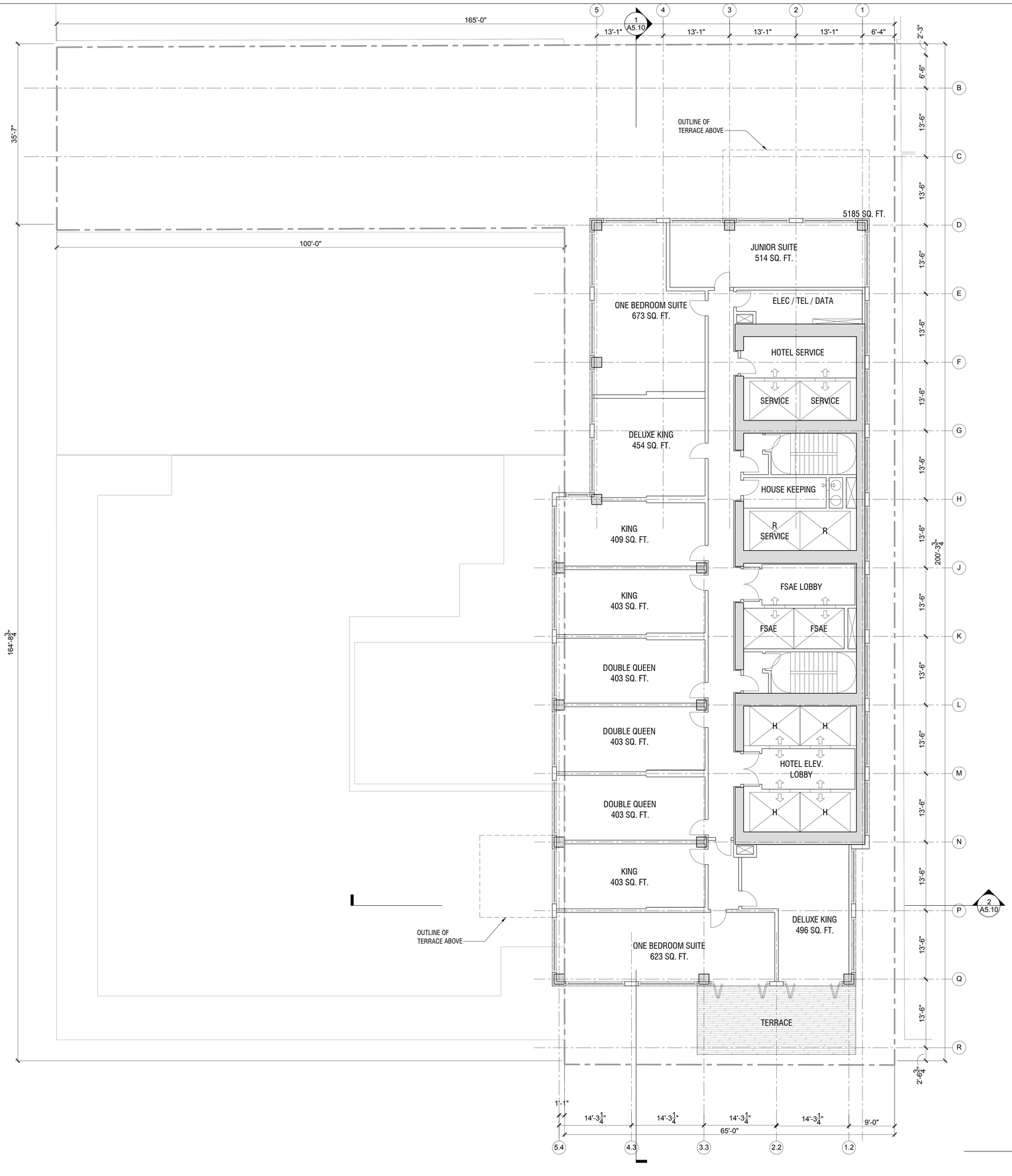

LEVEL 34 - HOTEL (1)
SCALE: 1/8"= 1'-0"

8/27/2019 10:08 AM

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KEY PLAN

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RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
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Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL 34 HOTEL

Scale:

NOT FOR CONSTRUCTION

A2.34A

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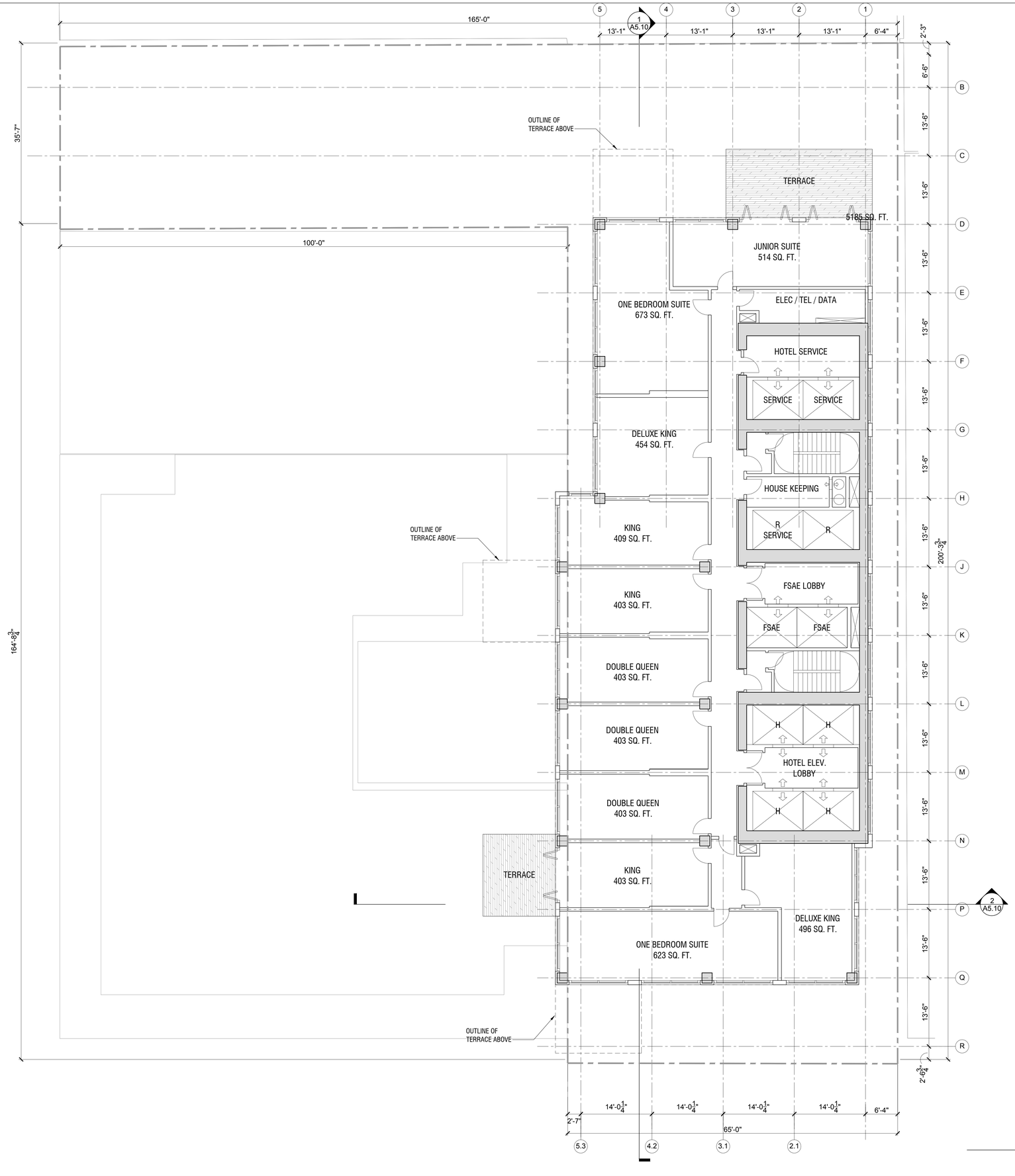

LEVEL 35 - HOTEL (1)
SCALE: 1/8"= 1'-0"

8/27/2019 10:09 AM

5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

Owner:

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Landscape Architect: MJS LANDSCAPE ARCHITECTURE

507 30TH STREET
NEWPORT BEACH, CA 92663
TEL. 949.673.9964

KEY PLAN

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Project No.: 3458

RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL 35
HOTEL

Scale:

NOT FOR CONSTRUCTION

A2.35A

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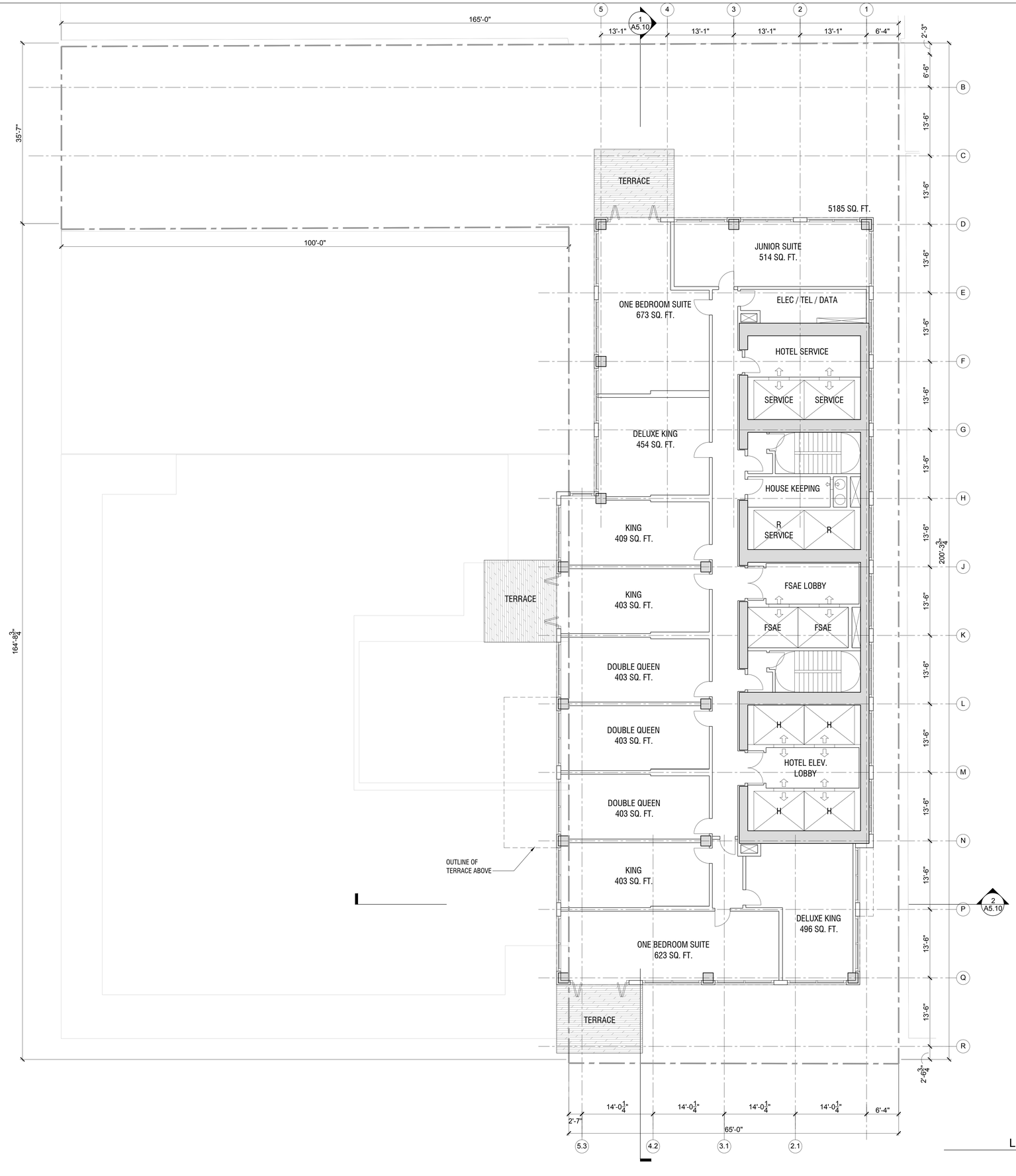

LEVEL 36 - HOTEL (1)
SCALE: 1/8"= 1'-0"

8/27/2019 10:09 AM

5TH & HILL

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LOS ANGELES CA 90013

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507 30TH STREET
NEWPORT BEACH, CA 92663
TEL. 949.673.9964

KEY PLAN

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Project No.: 3458

RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL 36
HOTEL SUITES

Scale:

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A2.36A

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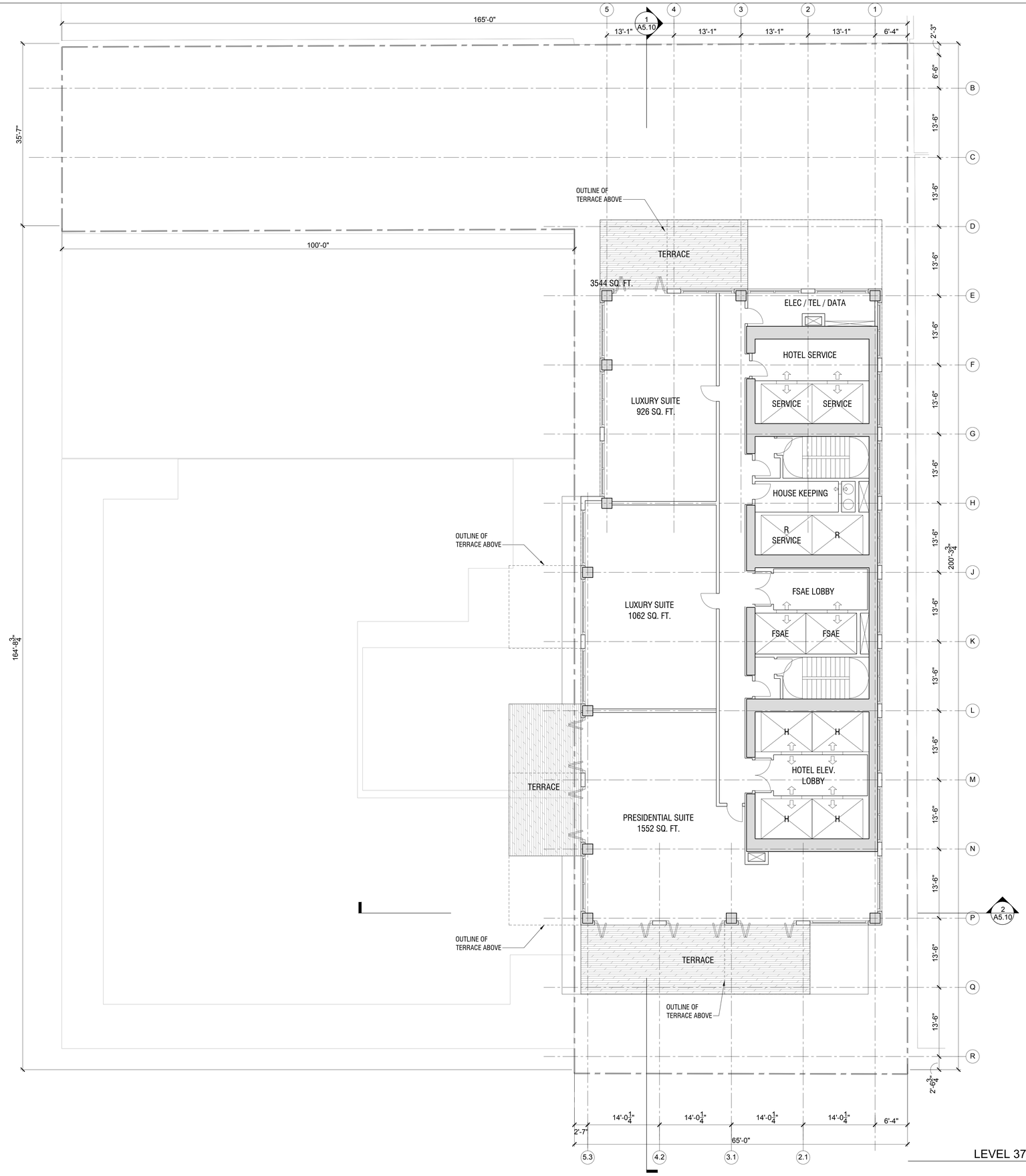

LEVEL 37 - HOTEL SUITES (1)
SCALE: 1/8"= 1'-0"

8/27/2019 10:10 AM

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5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

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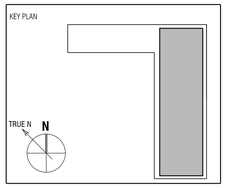
Landscape Architect: MJS LANDSCAPE ARCHITECTURE
507 30TH STREET
NEWPORT BEACH, CA 92663
TEL. 949.673.9964

KEY PLAN



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Project No.: 3458

RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL 37
HOTEL SUITES

Scale:

A2.37A

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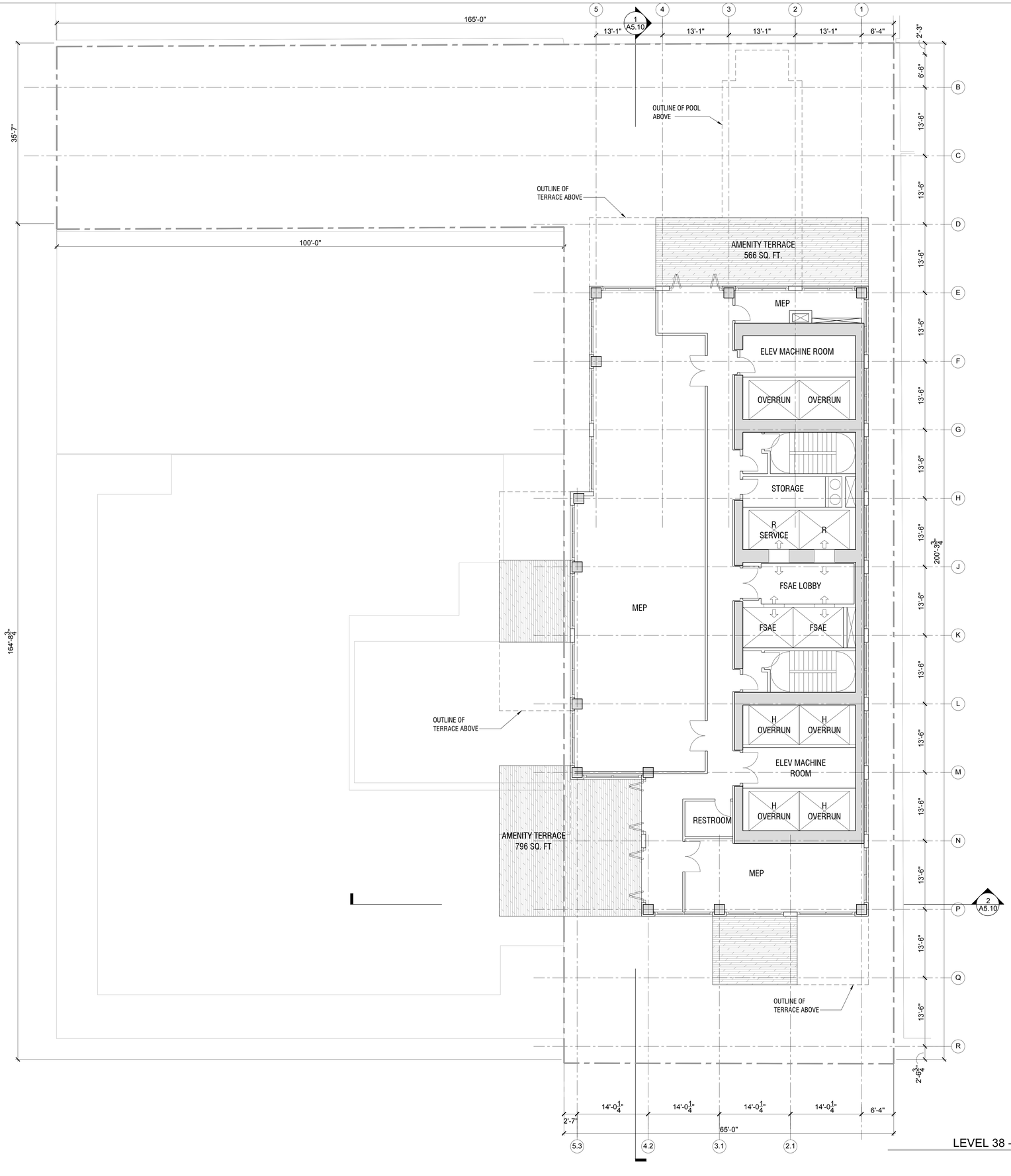

LEVEL 38 - MEP / TERRACE (1)
SCALE: 1/8"= 1'-0"

8/29/2019 12:04 PM

5TH & HILL

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LOS ANGELES CA 90013

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TEL. 949.673.9964

KEY PLAN

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RevNo.	Date	Description
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Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL 38
MEP / TERRACE

Scale:

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A2.38A

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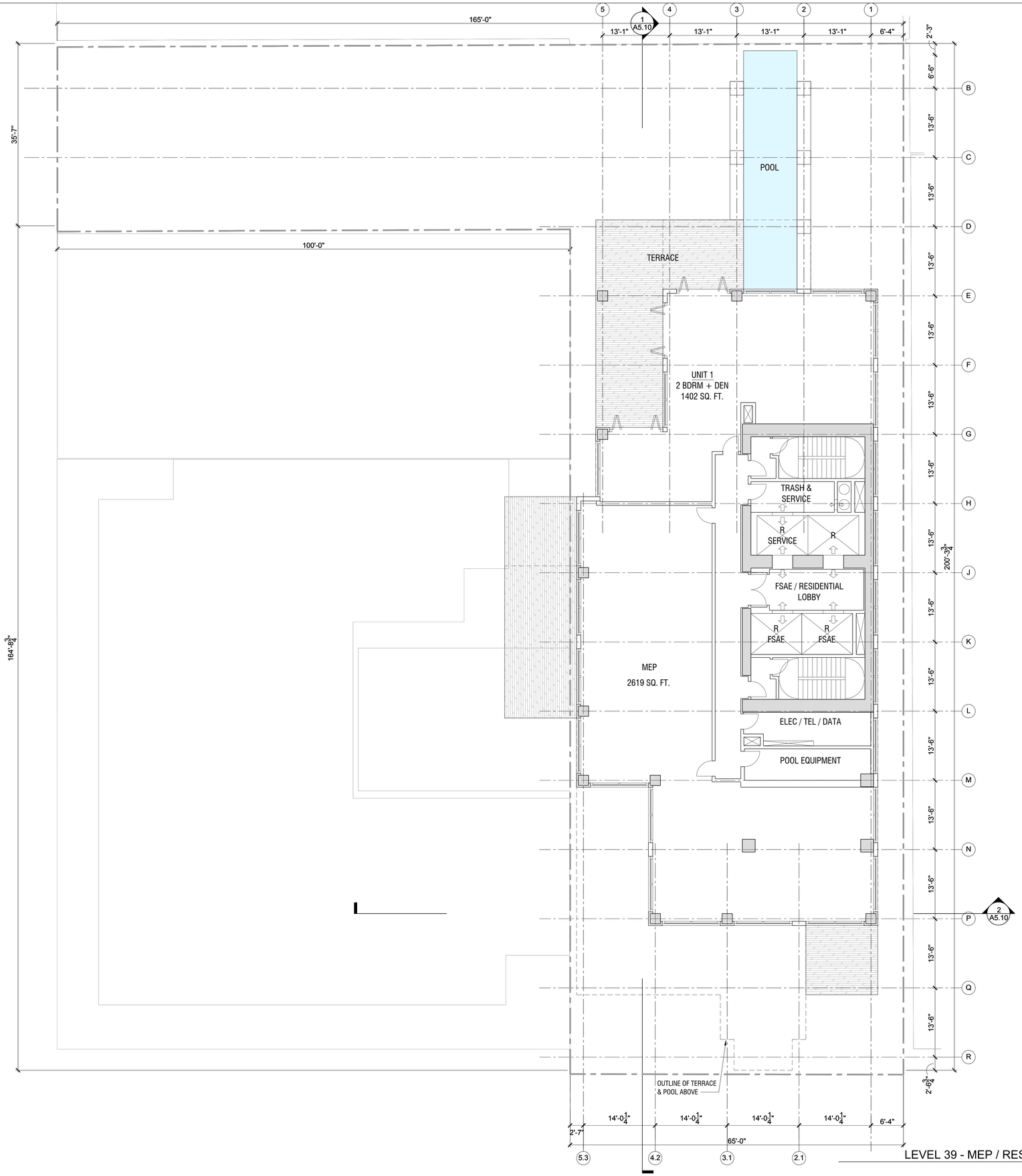

LEVEL 39 - MEP / RESIDENTIAL UNITS (1)

SCALE: 1/8"= 1'-0"

8/27/2019 10:13 AM

5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

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Landscape Architect: MJS LANDSCAPE ARCHITECTURE

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KEY PLAN

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Project No.: 3458

RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL 39
MEP / RESIDENTIAL UNITS

Scale:

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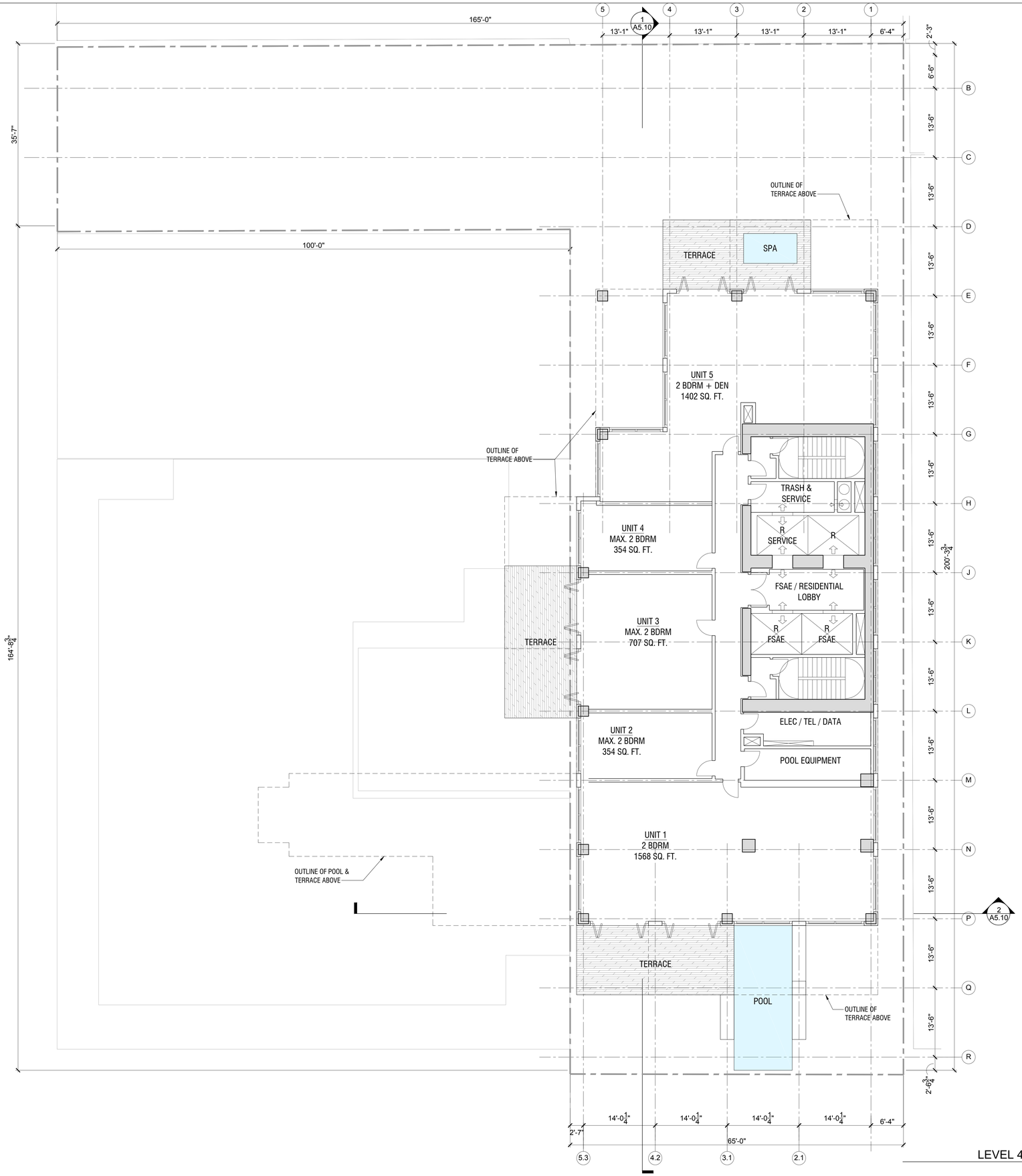

LEVEL 40 - RESIDENTIAL (1)
SCALE: 1/8"= 1'-0"

8/27/2019 10:14 AM

5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

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Landscape Architect: MJS LANDSCAPE ARCHITECTURE

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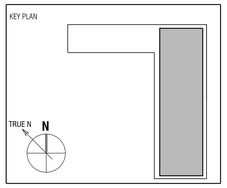
NEWPORT BEACH, CA 92663
TEL. 949.673.9964

KEY PLAN



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Project No.: 3458

RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
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Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL 40 RESIDENTIAL

Scale:

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A2.40A

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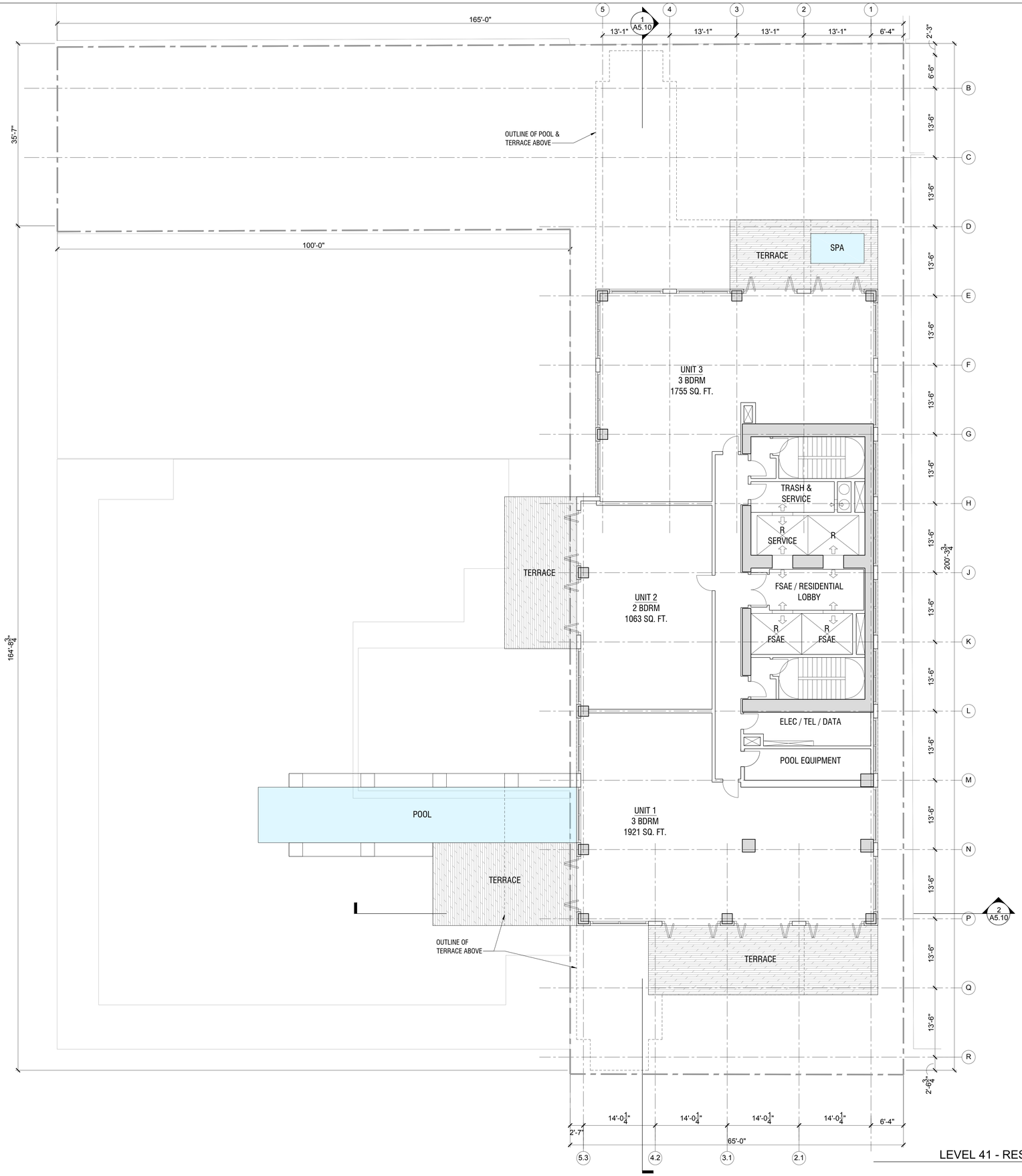

LEVEL 41 - RESIDENTIAL UNITS (1)

SCALE: 1/8"= 1'-0"

8/27/2019 10:15 AM

5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

Owner:

JMF DEVELOPMENT LLC

448 S. Hill Street, Suite 608, Los Angeles, CA 90013
TEL. 213.622.2929 Ext. 401 | FAX. (213) 622-0092

Architect: ARQUITECTONICA

818 WEST 7TH STREET, SUITE 800
LOS ANGELES, CA 90017
TEL. 213.895.7800
FAX. 213.895.7808

Landscape Architect: MJS LANDSCAPE ARCHITECTURE

507 30TH STREET
NEWPORT BEACH, CA 92663
TEL. 949.673.9964

KEY PLAN

TRUE N N

Seal / Signature:

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RevNo.	Date	Description
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	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL 41
RESIDENTIAL UNITS

Scale:

NOT FOR CONSTRUCTION

A2.41A

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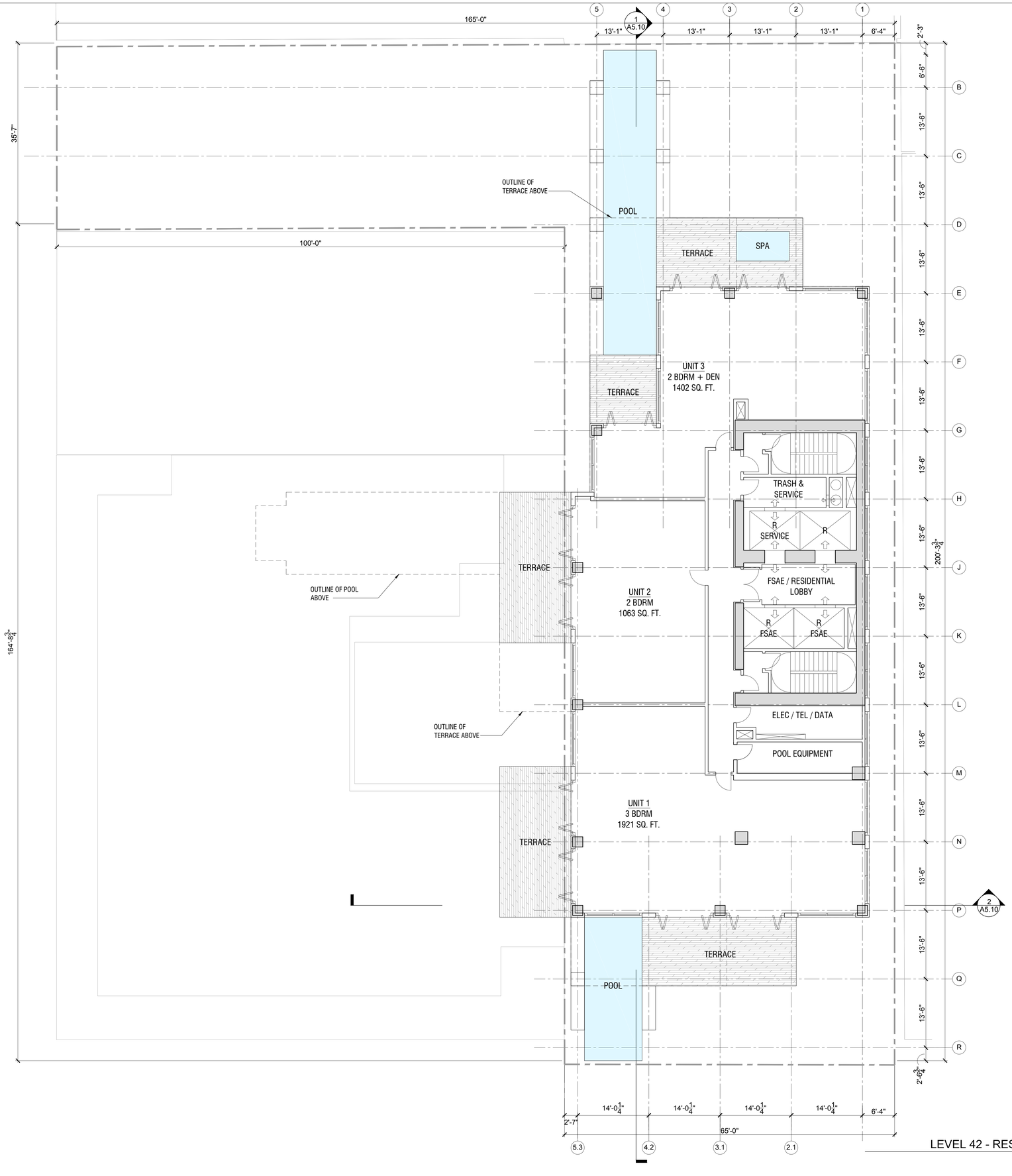

LEVEL 42 - RESIDENTIAL UNITS (1)
SCALE: 1/8"= 1'-0"

8/27/2019 10:15 AM

5TH & HILL

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LOS ANGELES CA 90013

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Landscape Architect: MJS LANDSCAPE ARCHITECTURE

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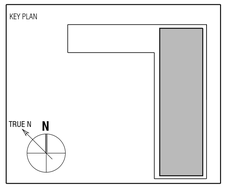
TEL. 949.673.9964

KEY PLAN



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Revno.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
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Sheet Title:

FLOOR PLAN - LEVEL 42
RESIDENTIAL UNITS

Scale:

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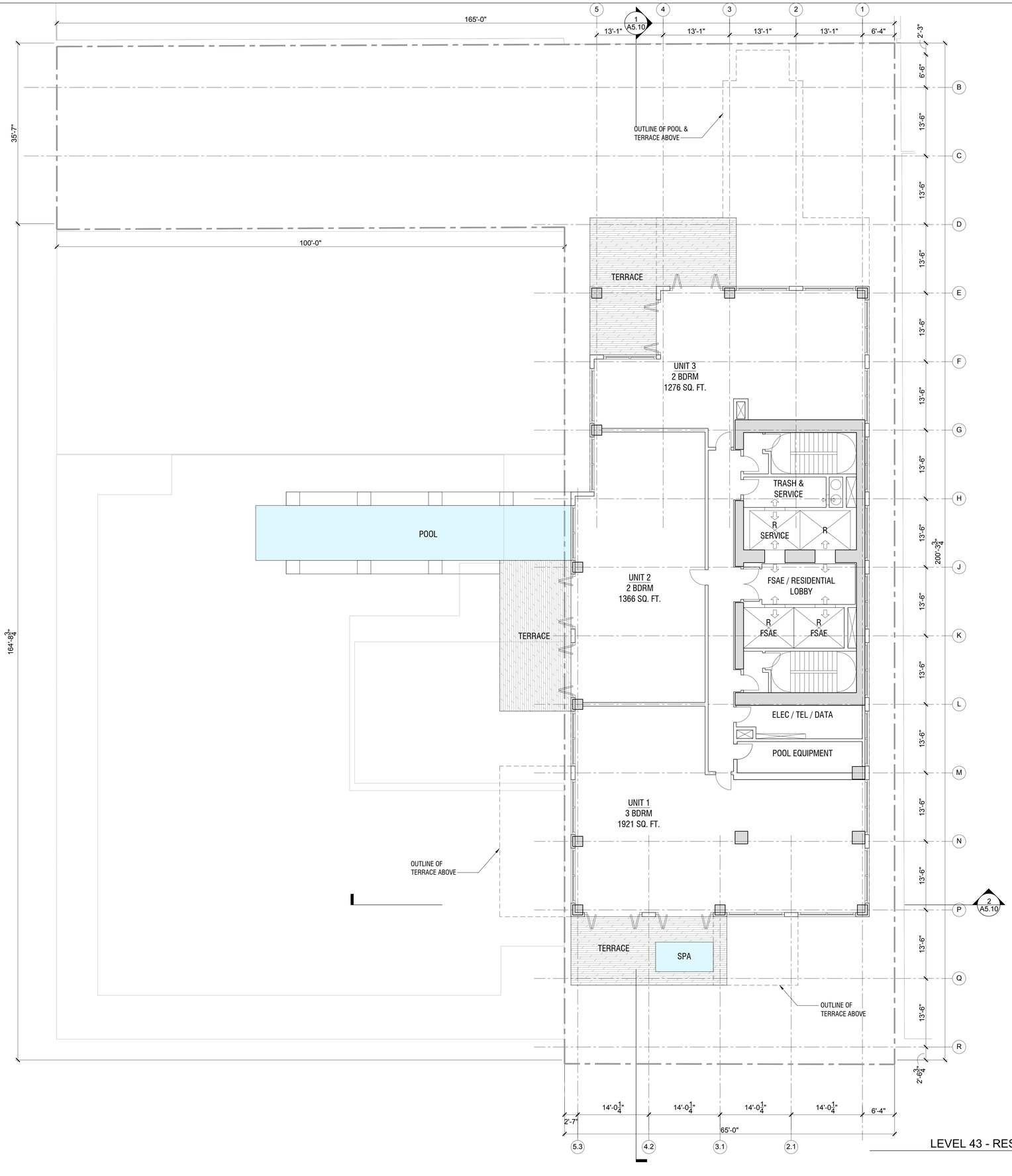

LEVEL 43 - RESIDENTIAL UNITS (1)
SCALE: 1/8"= 1'-0"

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LOS ANGELES CA 90013

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Landscape Architect: MJS LANDSCAPE ARCHITECTURE

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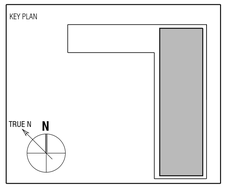
KEY PLAN



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Revno.	Date	Description
	12/21/2017	UPDATED EIR SET
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Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL 43
RESIDENTIAL UNITS

Scale:

NOT FOR CONSTRUCTION

A2.43A

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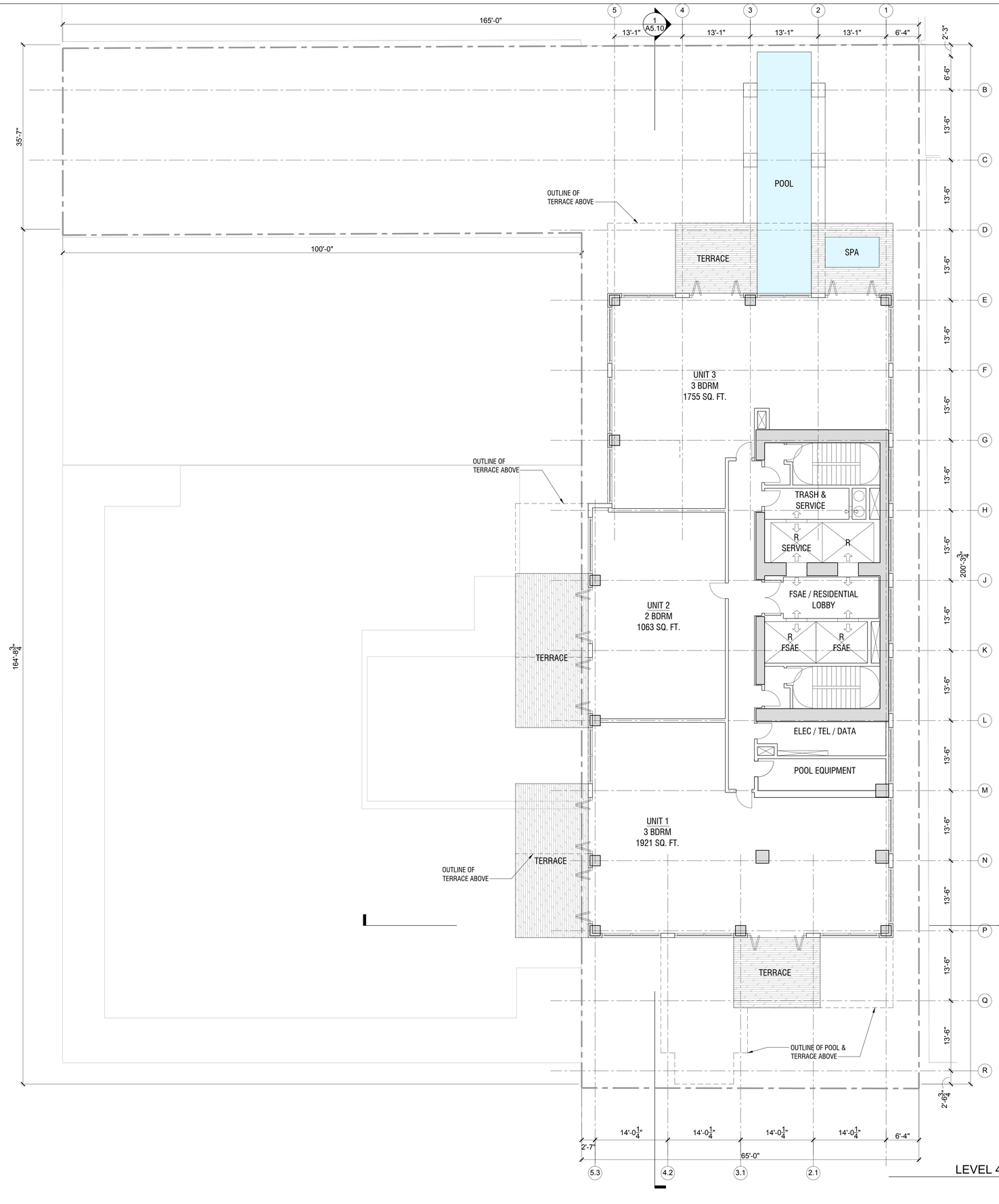

LEVEL 44 - RESIDENTIAL UNITS (1)

SCALE: 1/8"= 1'-0"

5TH & HILL

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Landscape Architect: MJS LANDSCAPE ARCHITECTURE

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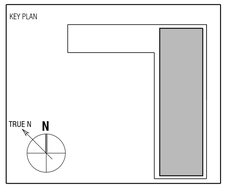
NEWPORT BEACH, CA 92663
TEL. 949.673.9964

KEY PLAN



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Sheet Title:

FLOOR PLAN - LEVEL 44
RESIDENTIAL UNITS

Scale:

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A2.44A

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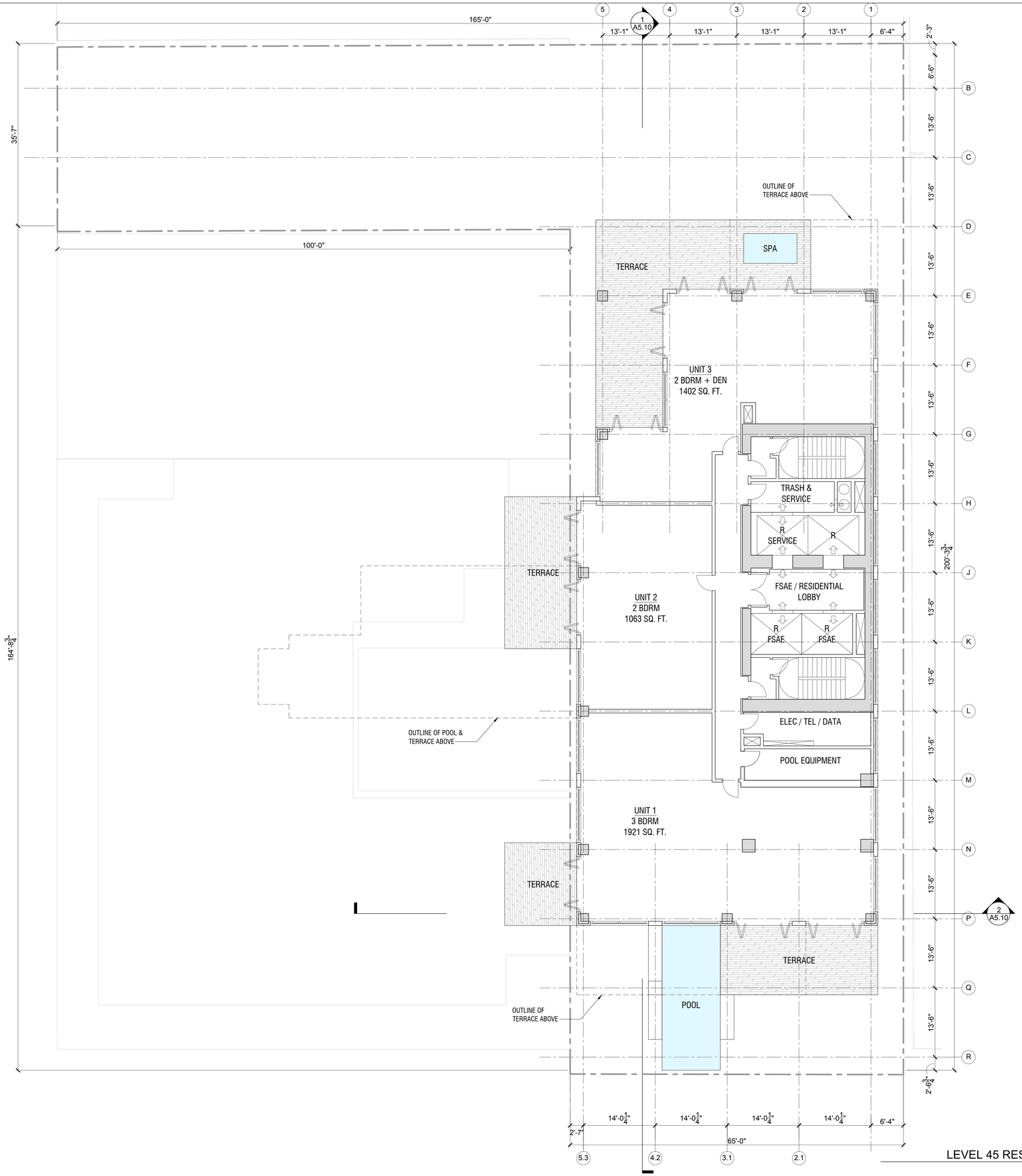

LEVEL 45 RESIDENTIAL UNITS (1)
SCALE: 1/8"= 1'-0"

8/27/2019 10:33 AM

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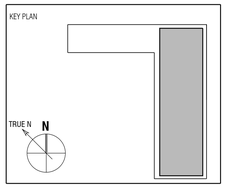
KEY PLAN



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	03/19/2019	HEARING PLAN SET
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FLOOR PLAN - LEVEL 45
RESIDENTIAL UNITS

Scale:

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A2.45A

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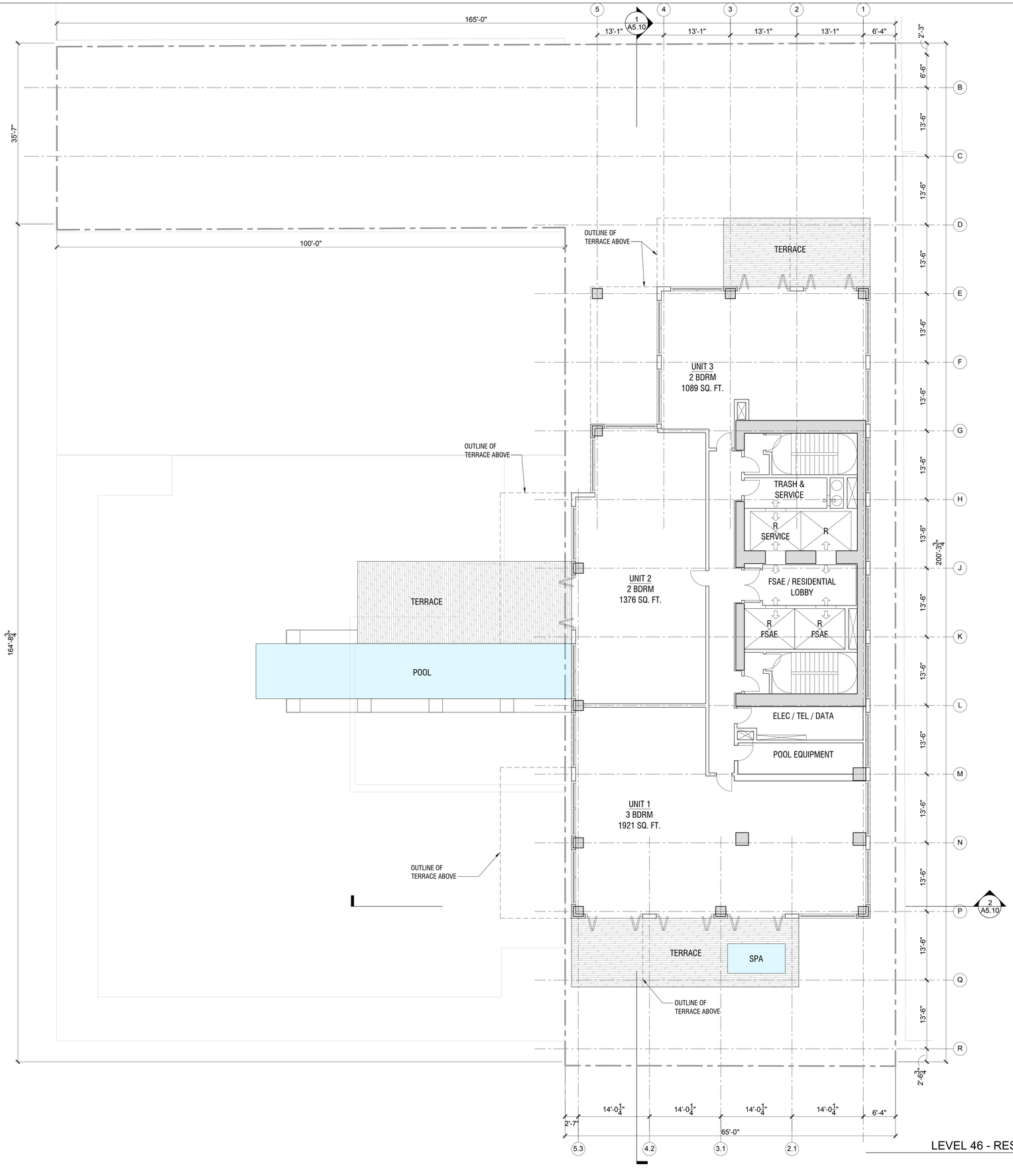

LEVEL 46 - RESIDENTIAL UNITS (1)

SCALE: 1/8"= 1'-0"

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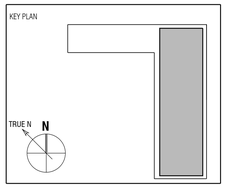
TEL. 949.673.9964

KEY PLAN



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Revno.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

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Sheet Title:

FLOOR PLAN - LEVEL 46
RESIDENTIAL UNITS

Scale:

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A2.46A

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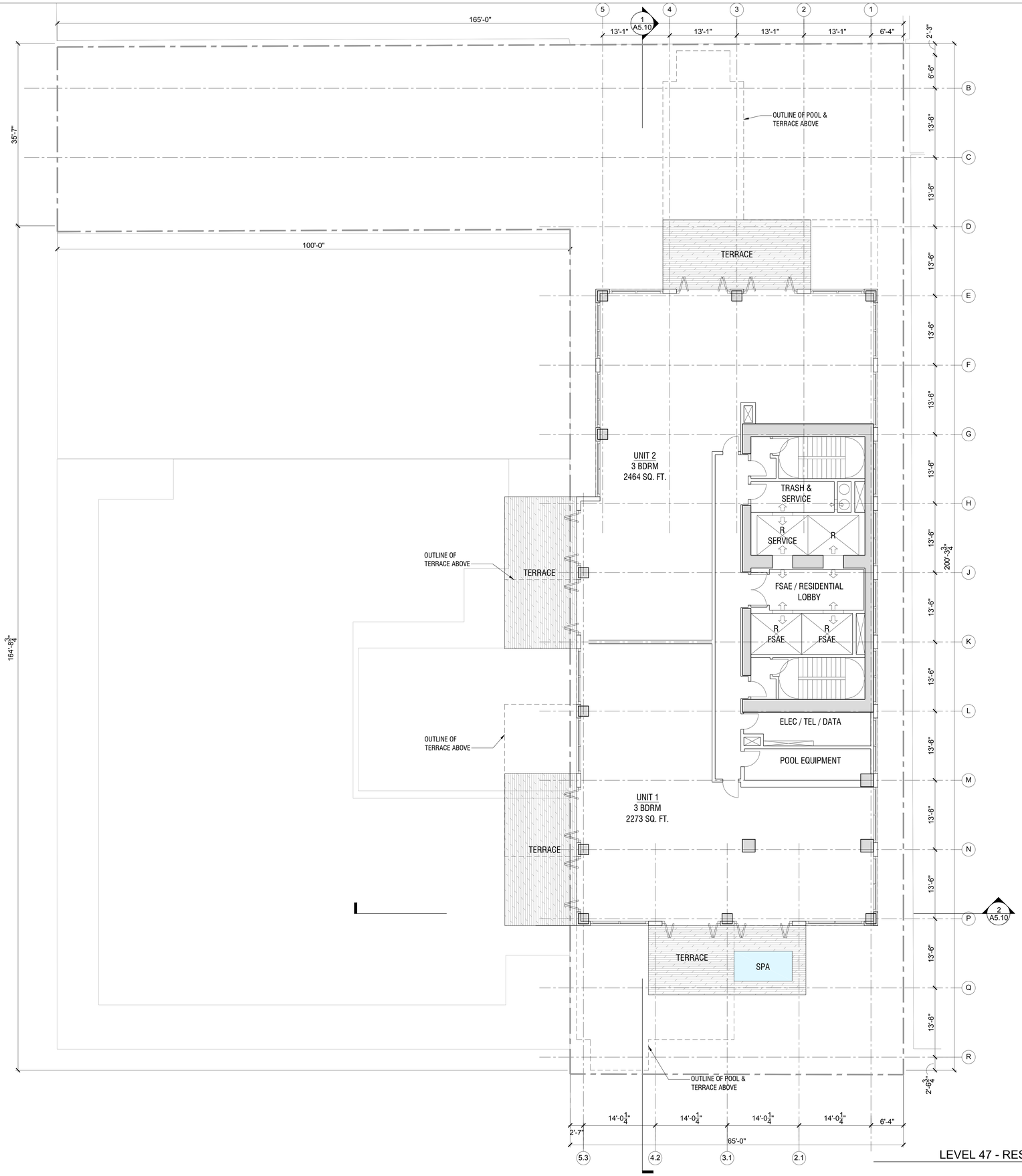

LEVEL 47 - RESIDENTIAL UNITS (1)

SCALE: 1/8"= 1'-0"

5TH & HILL

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LOS ANGELES CA 90013

Owner:

JMF DEVELOPMENT LLC

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Landscape Architect: MJS LANDSCAPE ARCHITECTURE

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KEY PLAN

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Project No.: 3458

RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL 47
RESIDENTIAL UNITS

Scale:

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A2.47A

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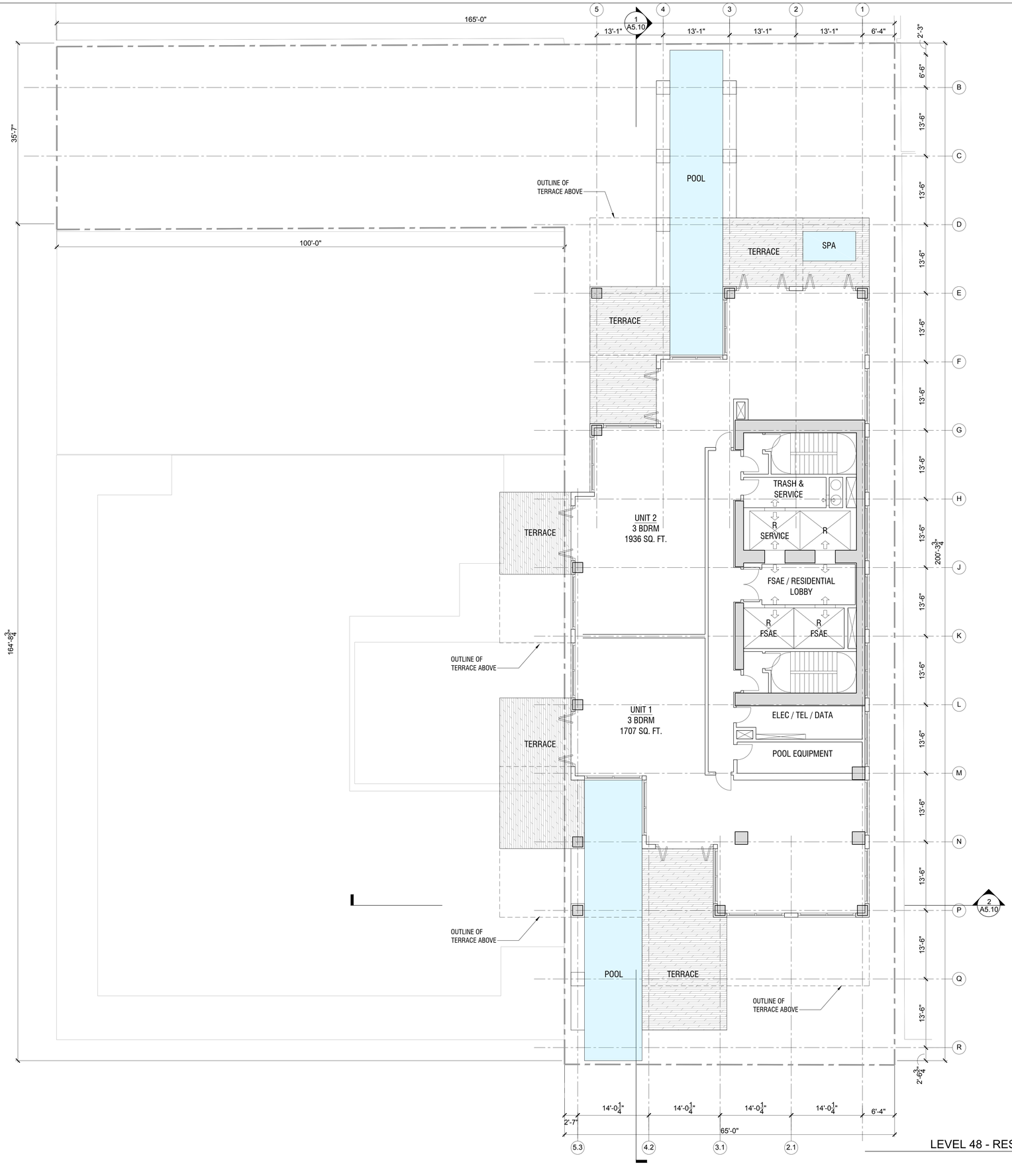

LEVEL 48 - RESIDENTIAL UNITS (1)
SCALE: 1/8"= 1'-0"

8/27/2019 10:35 AM

5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

Owner:

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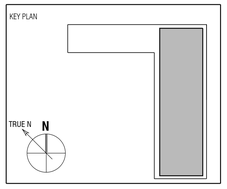
FAX. 213.895.7808

Landscape Architect: MJS LANDSCAPE ARCHITECTURE

507 30TH STREET
NEWPORT BEACH, CA 92663
TEL. 949.673.9964

KEY PLAN



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Project No.: 3458

Revno.	Date	Description
	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL 48 RESIDENTIAL UNITS

Scale:

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A2.48A

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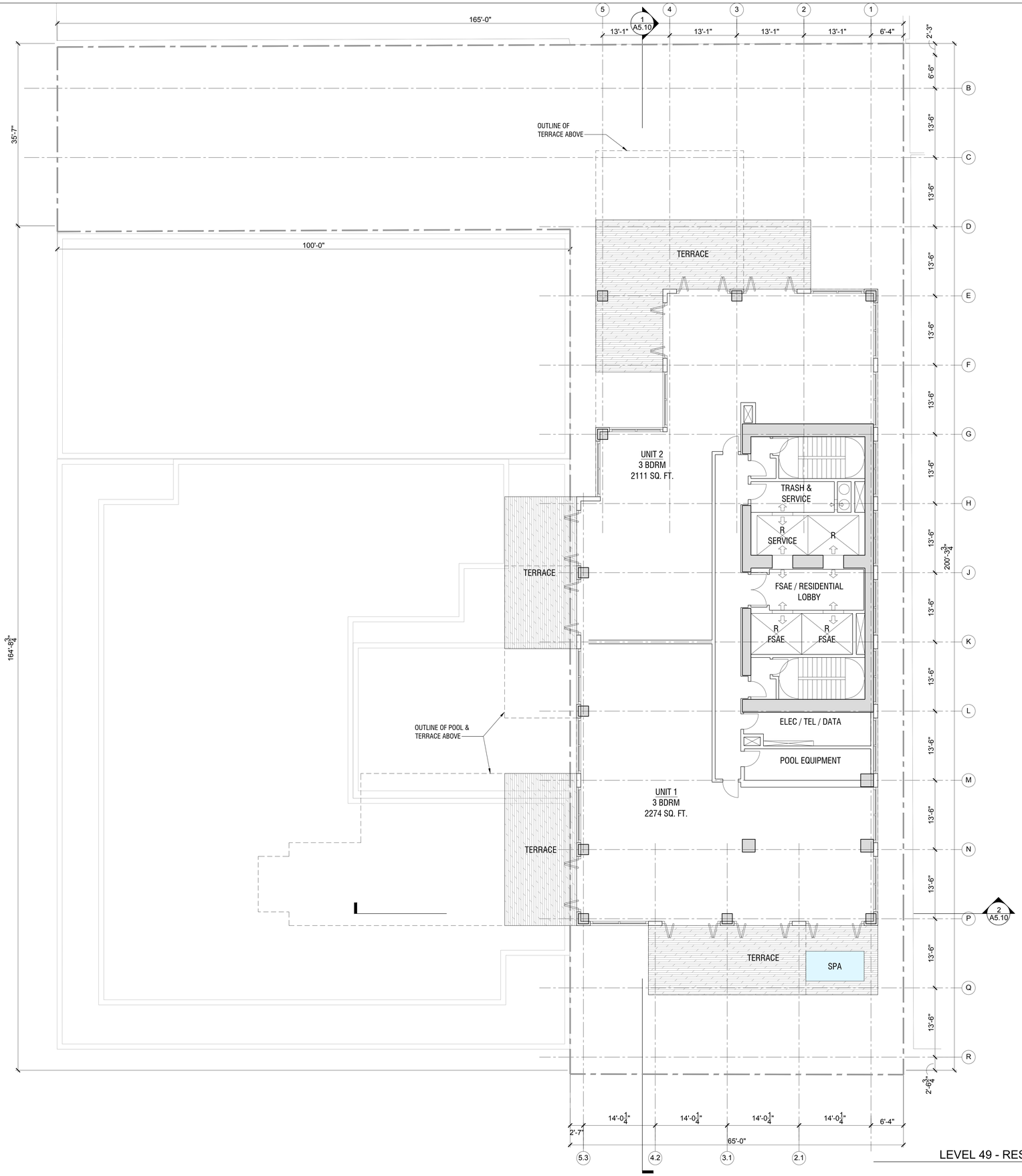

LEVEL 49 - RESIDENTIAL UNITS (1)
SCALE: 1/8"= 1'-0"

5TH & HILL

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KEY PLAN

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Project No.: 3458

RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
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Full Size Print: 30" x 42"

Sheet Title:

FLOOR PLAN - LEVEL 49
RESIDENTIAL UNITS

Scale:

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A2.49A

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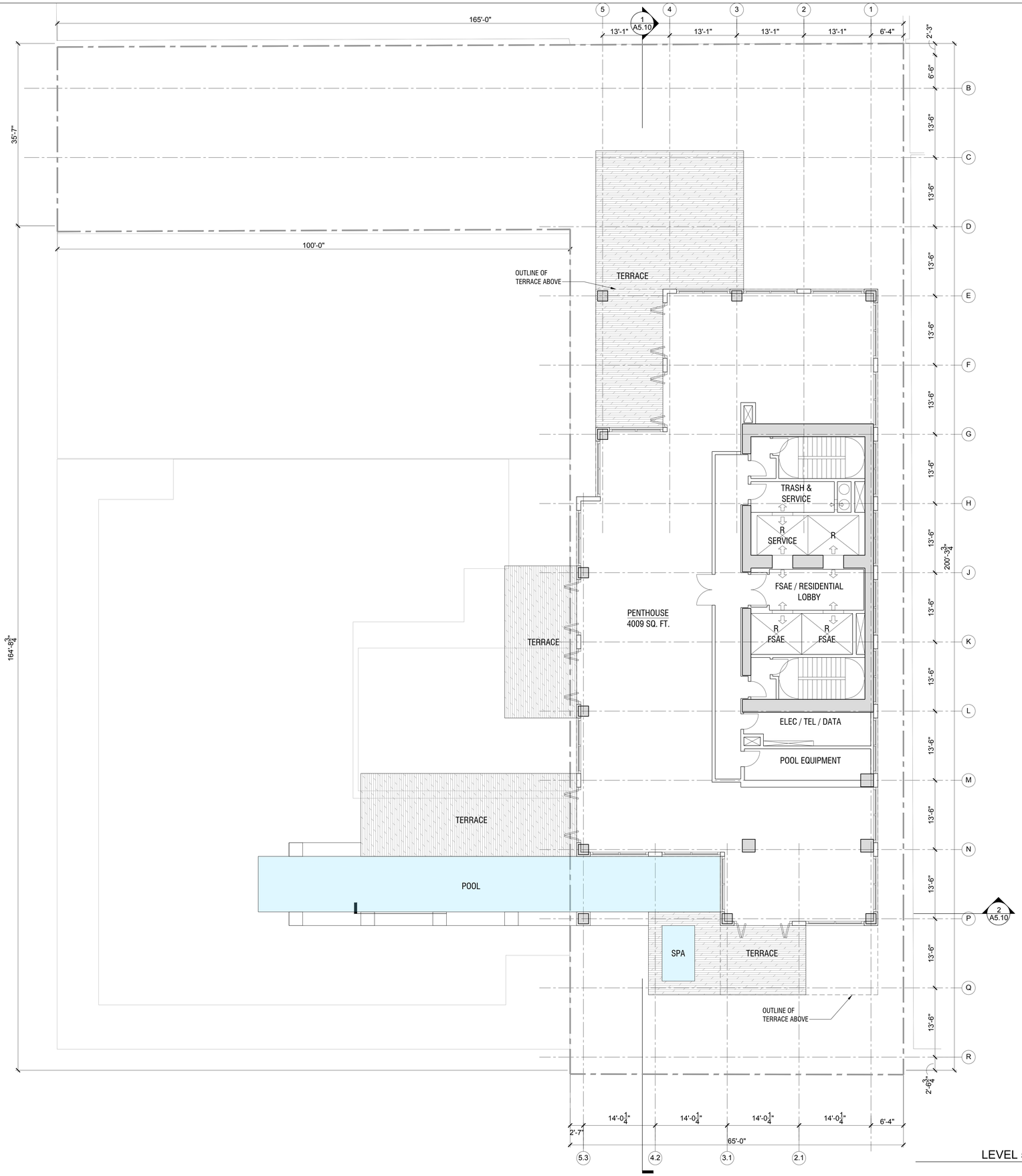

LEVEL 50 - PENTHOUSE (1)

SCALE: 1/8"= 1'-0"

8/27/2019 10:38 AM

5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

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KEY PLAN

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Project No.: 3458

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	12/21/2017	UPDATED EIR SET
	03/19/2019	HEARING PLAN SET
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Full Size Print: 30" x 42"

Sheet Title:

LEVEL 50
PENTHOUSE

Scale:

NOT FOR CONSTRUCTION

A2.50A

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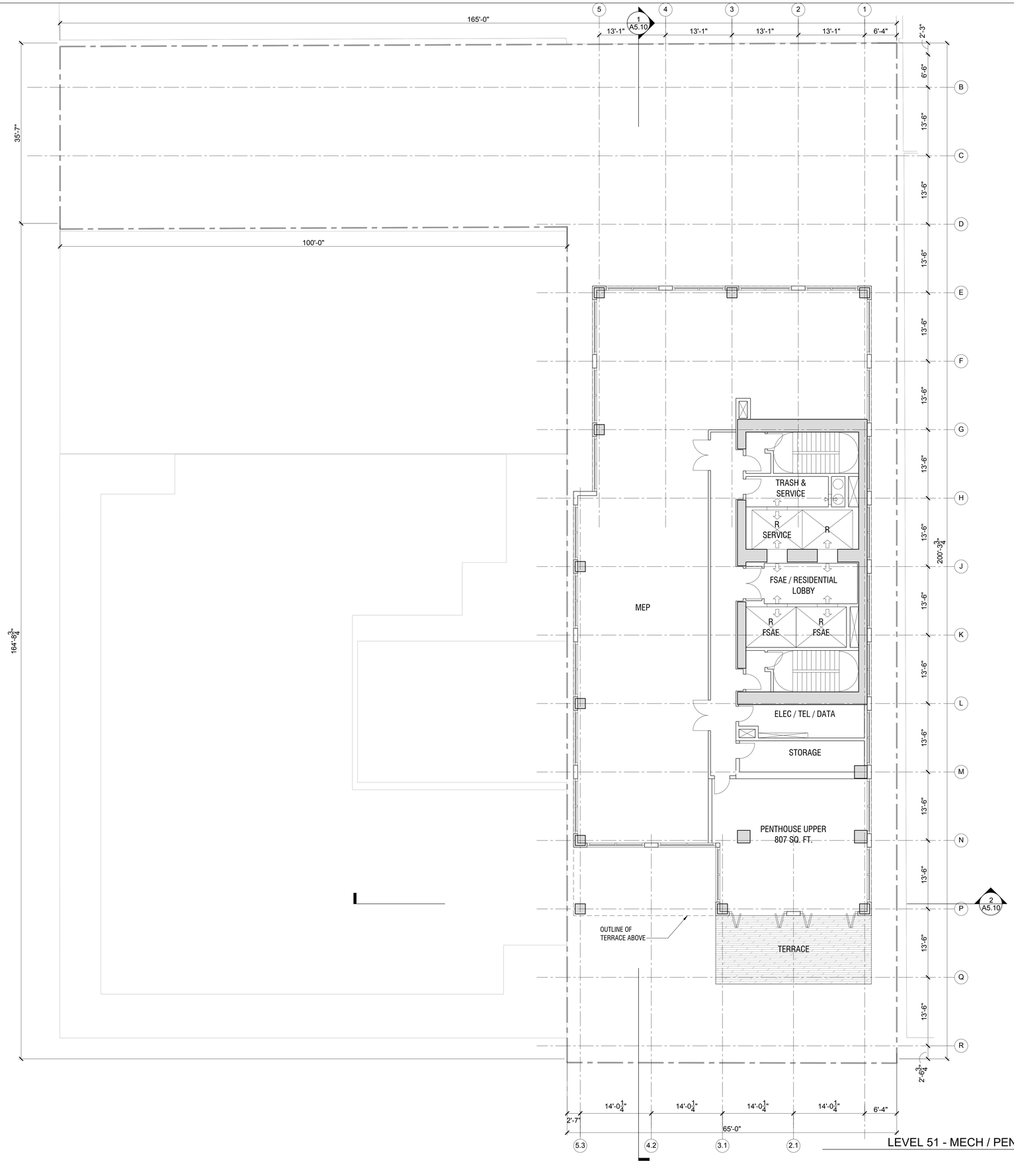

LEVEL 51 - MECH / PENTHOUSE UPPER (1)
SCALE: 1/8"= 1'-0"

8/27/2019 10:38 AM

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Project No.: 3458

Revno.	Date	Description
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	03/19/2019	HEARING PLAN SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

Sheet Title:

LEVEL 51
MECH / PENTHOUSE UPPER

Scale:

NOT FOR CONSTRUCTION

A2.51A

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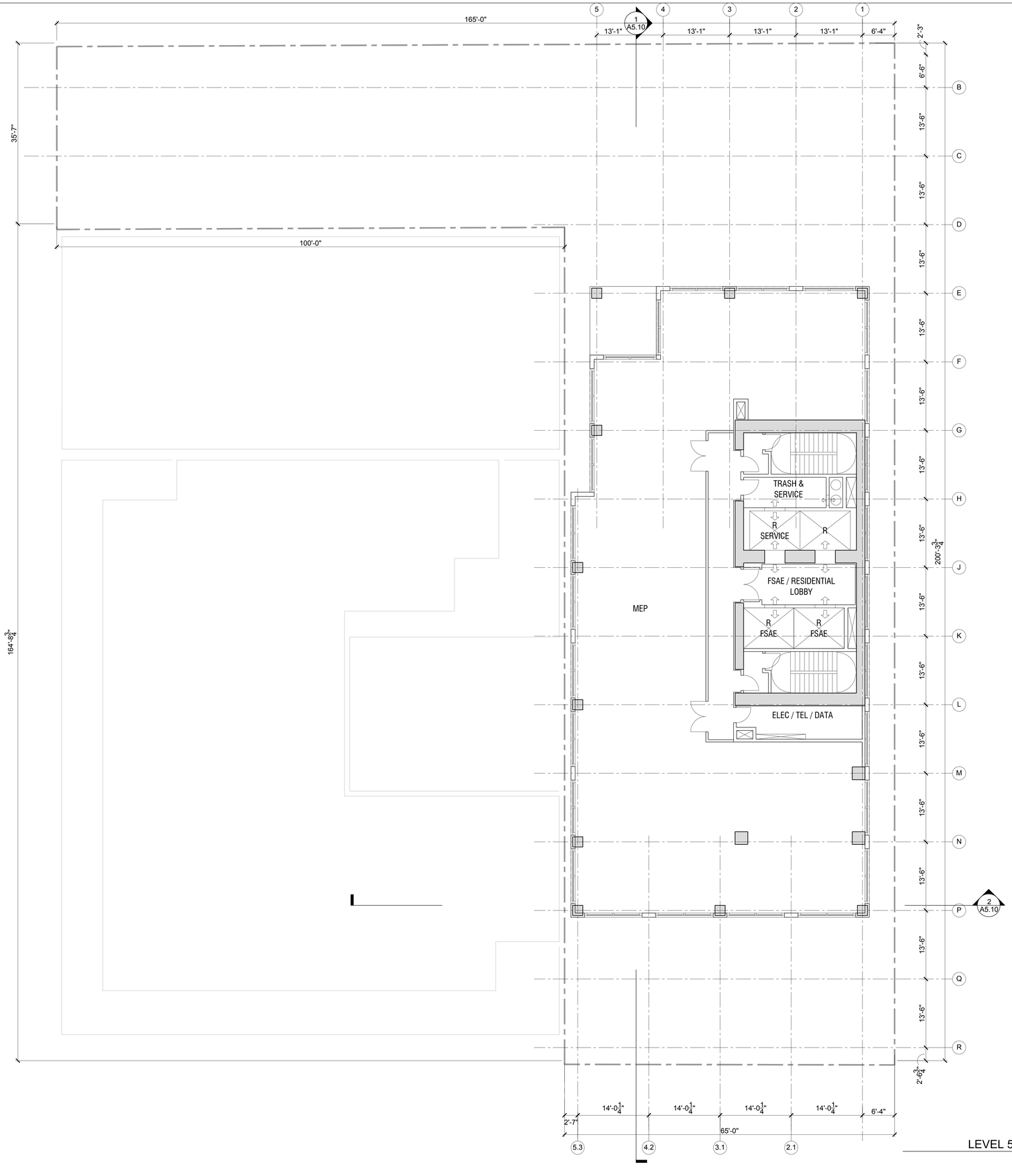

LEVEL 52 - MECHANICAL (1)

SCALE: 1/8"= 1'-0"

8/27/2019 10:39 AM

5TH & HILL

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Landscape Architect: MJS LANDSCAPE ARCHITECTURE

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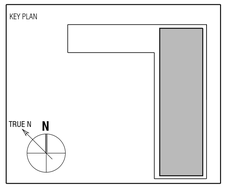
TEL. 949.673.9964

KEY PLAN



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Project No.: 3458

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	03/19/2019	HEARING PLAN SET
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Full Size Print: 30" x 42"

Sheet Title:

LEVEL 52
MECHANICAL

Scale:

NOT FOR CONSTRUCTION

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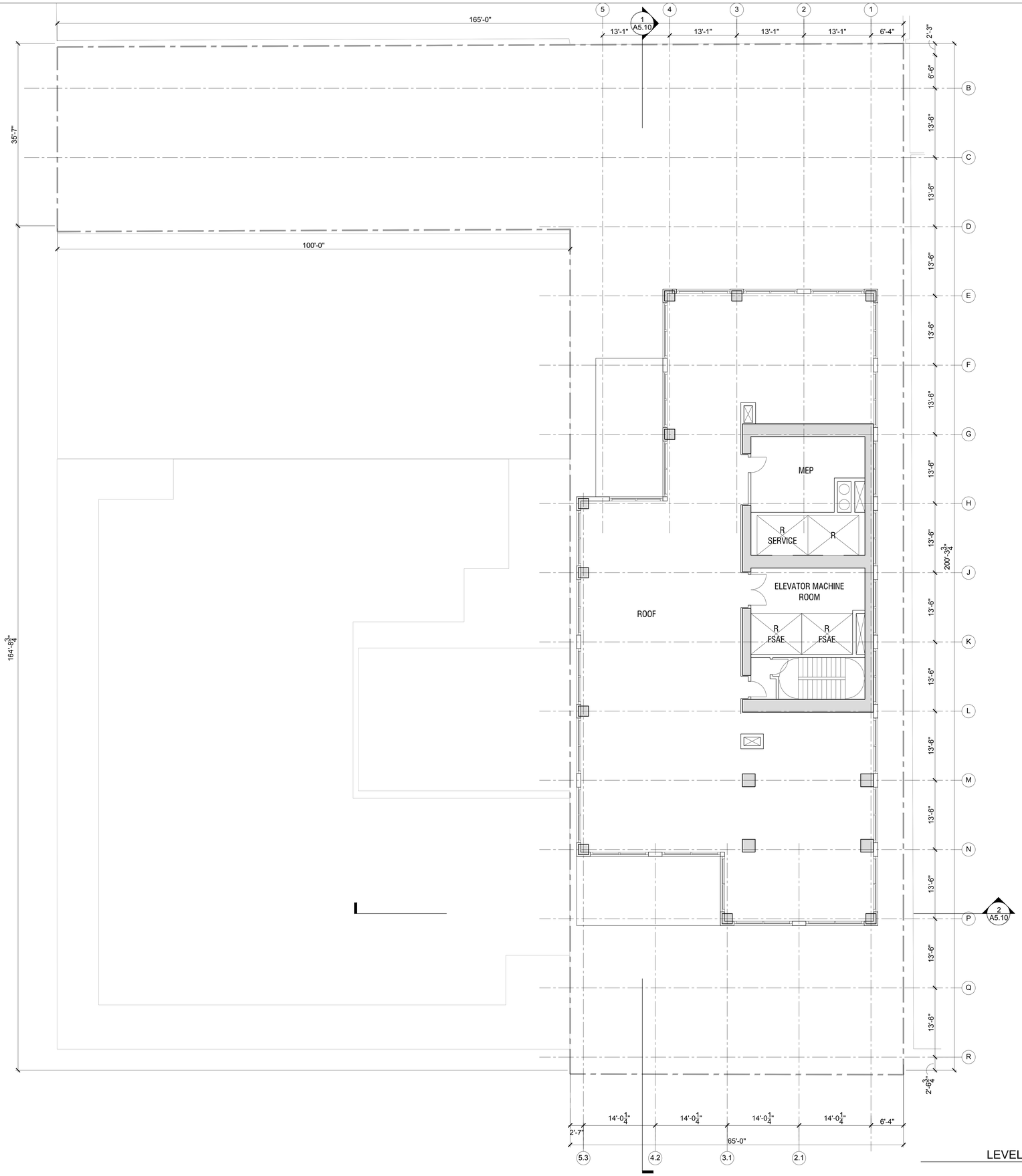

LEVEL 53 - ROOF PLAN (1)
SCALE: 1/8"= 1'-0"

8/27/2019 10:40 AM

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Landscape Architect: MJS LANDSCAPE ARCHITECTURE

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NEWPORT BEACH, CA 92663
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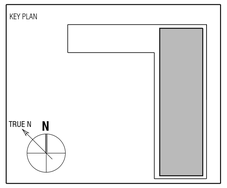
KEY PLAN



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	12/21/2017	UPDATED EIR SET
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LEVEL 53
ROOF PLAN

Scale:

A2.53A

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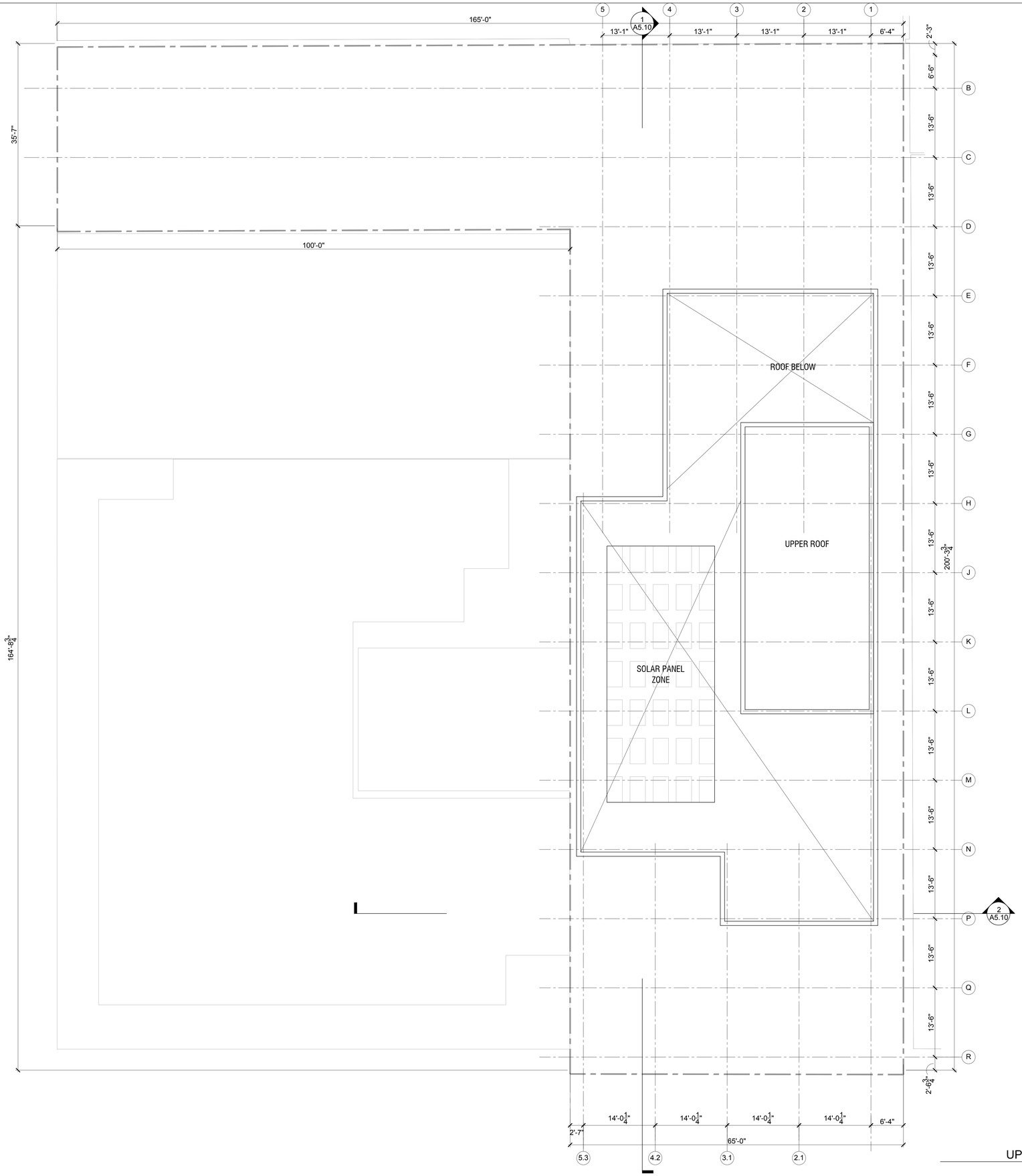

UPPER ROOF PLAN 1
SCALE: 1/8"= 1'-0"

5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

Owner:

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UPPER ROOF PLAN

Scale:

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A2.54A

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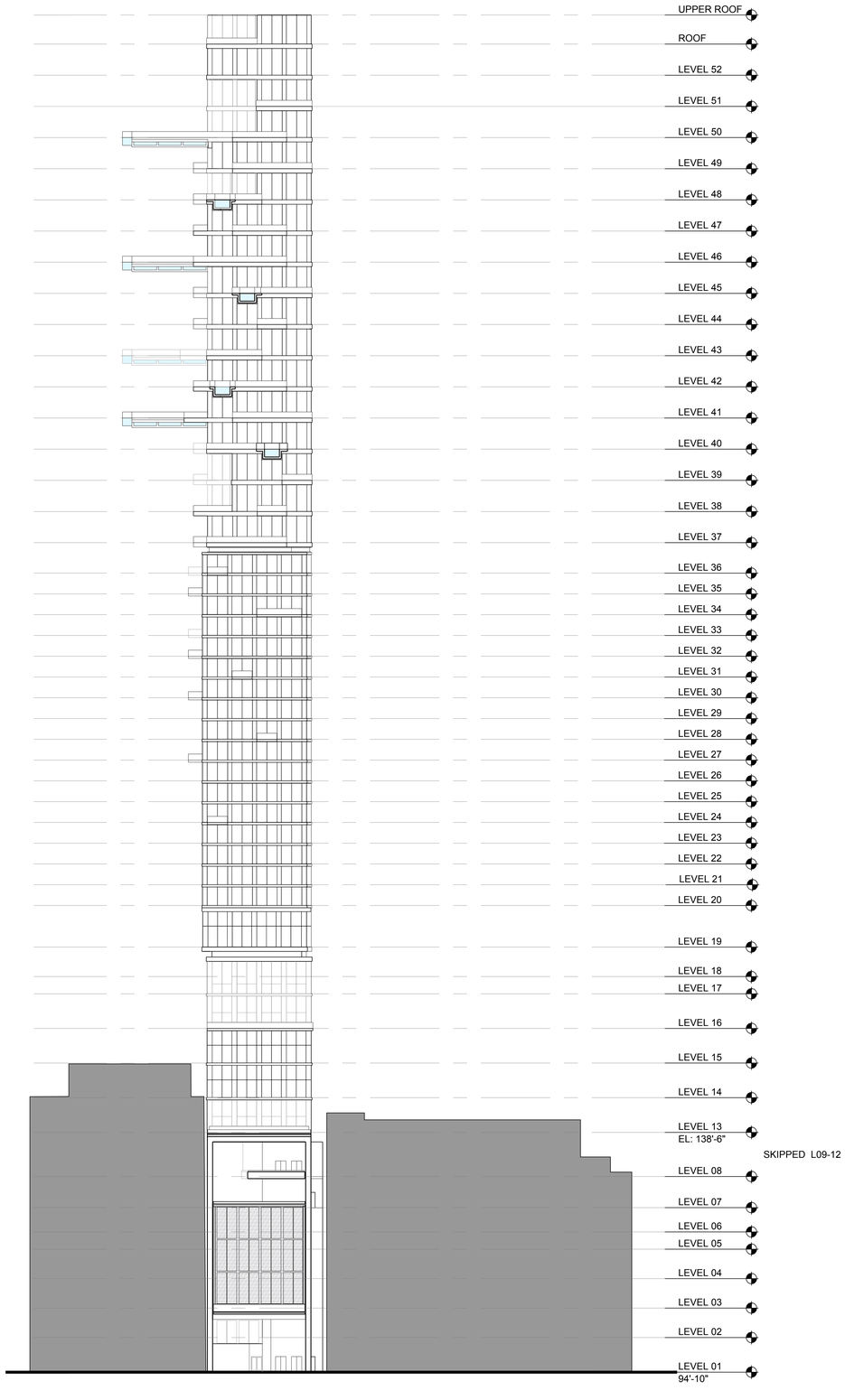

SOUTH BUILDING ELEVATION (1)
SCALE: 1/32"= 1'-0"

5TH & HILL

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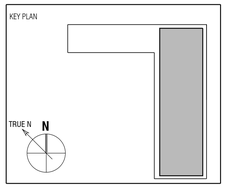
KEY PLAN



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BUILDING ELEVATION
SOUTH

Scale:

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A5.00A

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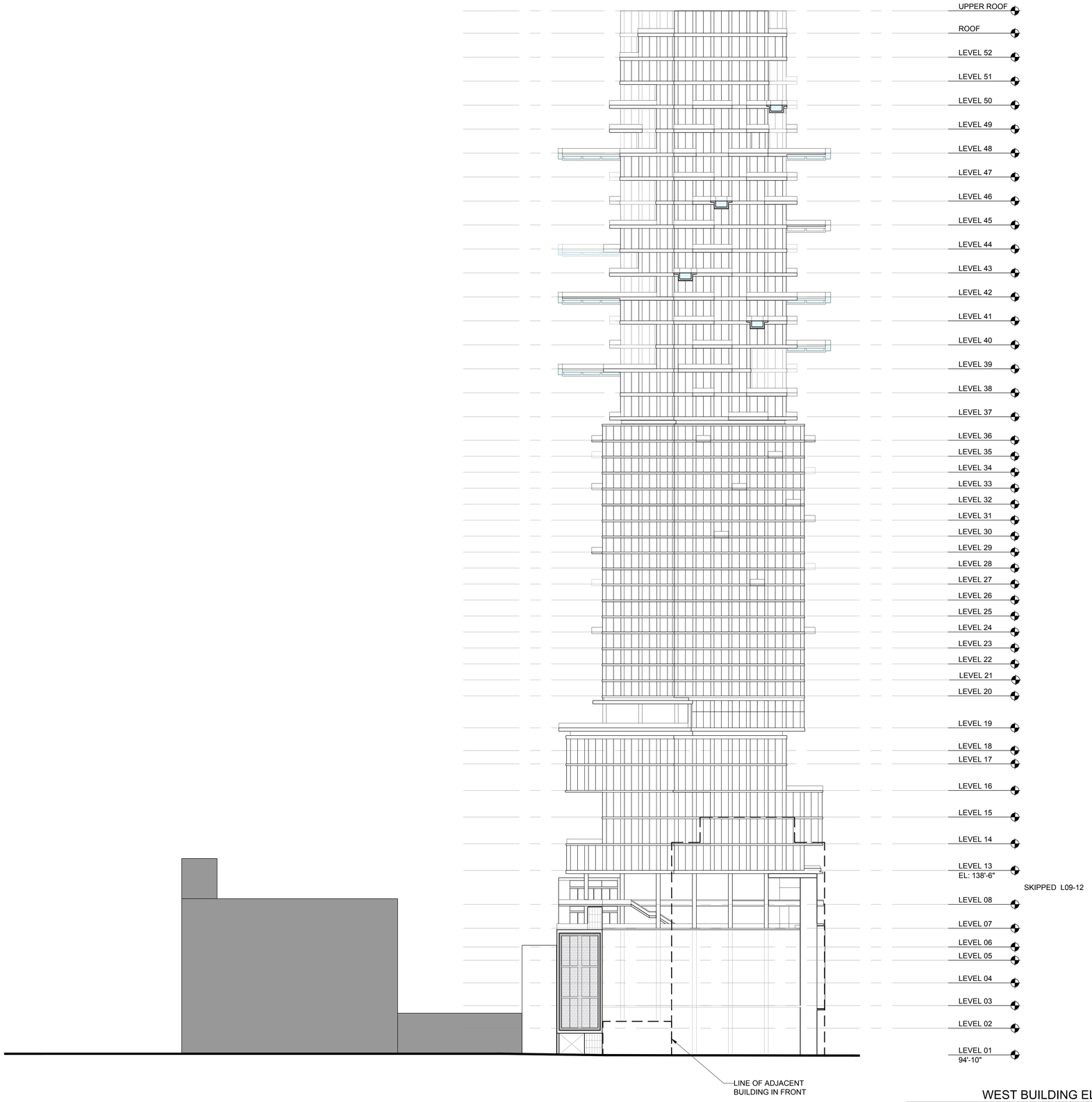

WEST BUILDING ELEVATION (1)
SCALE: 1/32"= 1'-0"

5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

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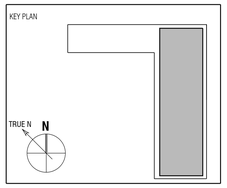
KEY PLAN



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BUILDING ELEVATION
WEST

Scale:

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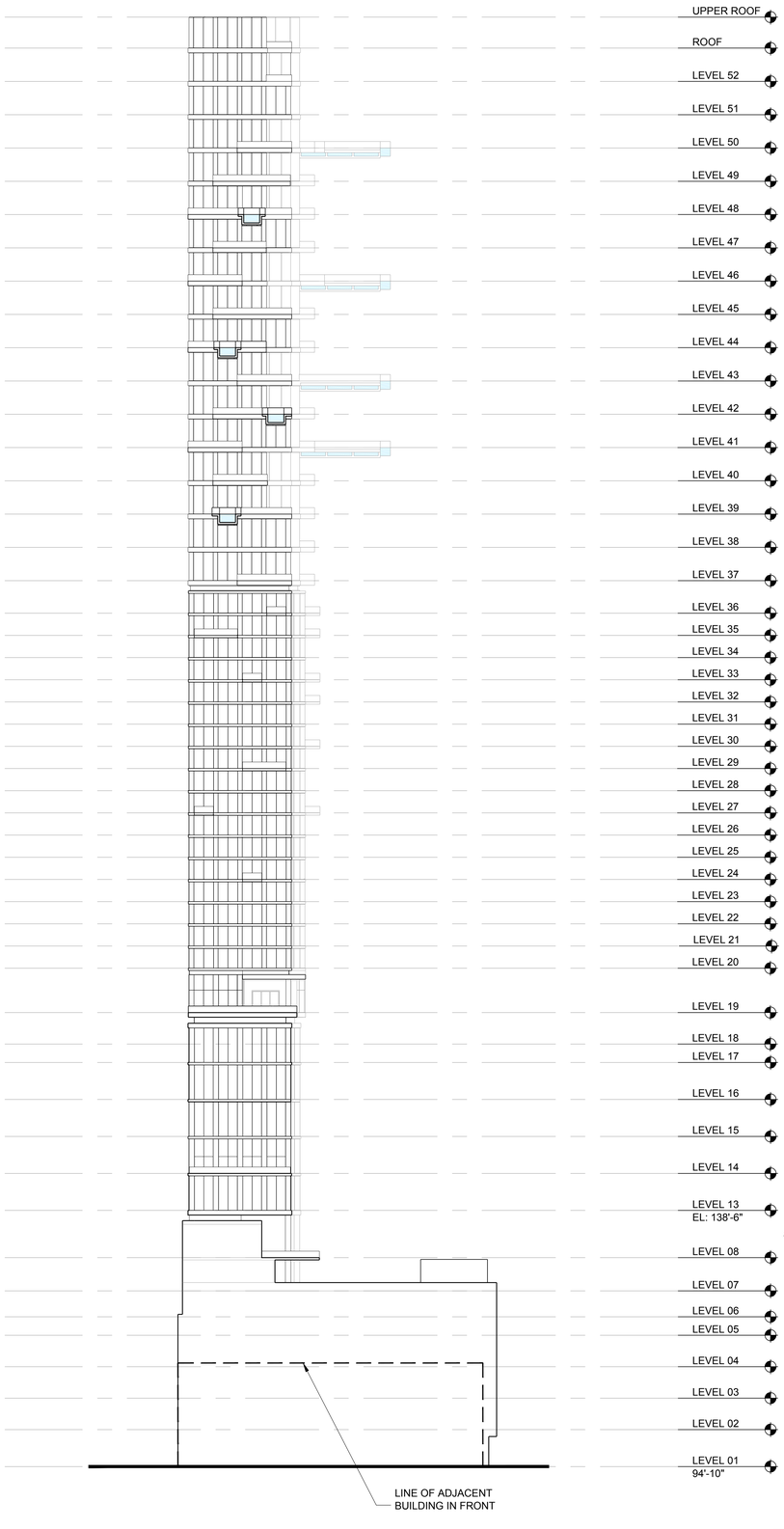

NORTH BUILDING ELEVATION (1)

SCALE: 1/32"= 1'-0"

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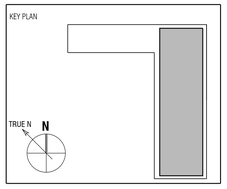
KEY PLAN



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BUILDING ELEVATION
NORTH

Scale:

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A5.02A

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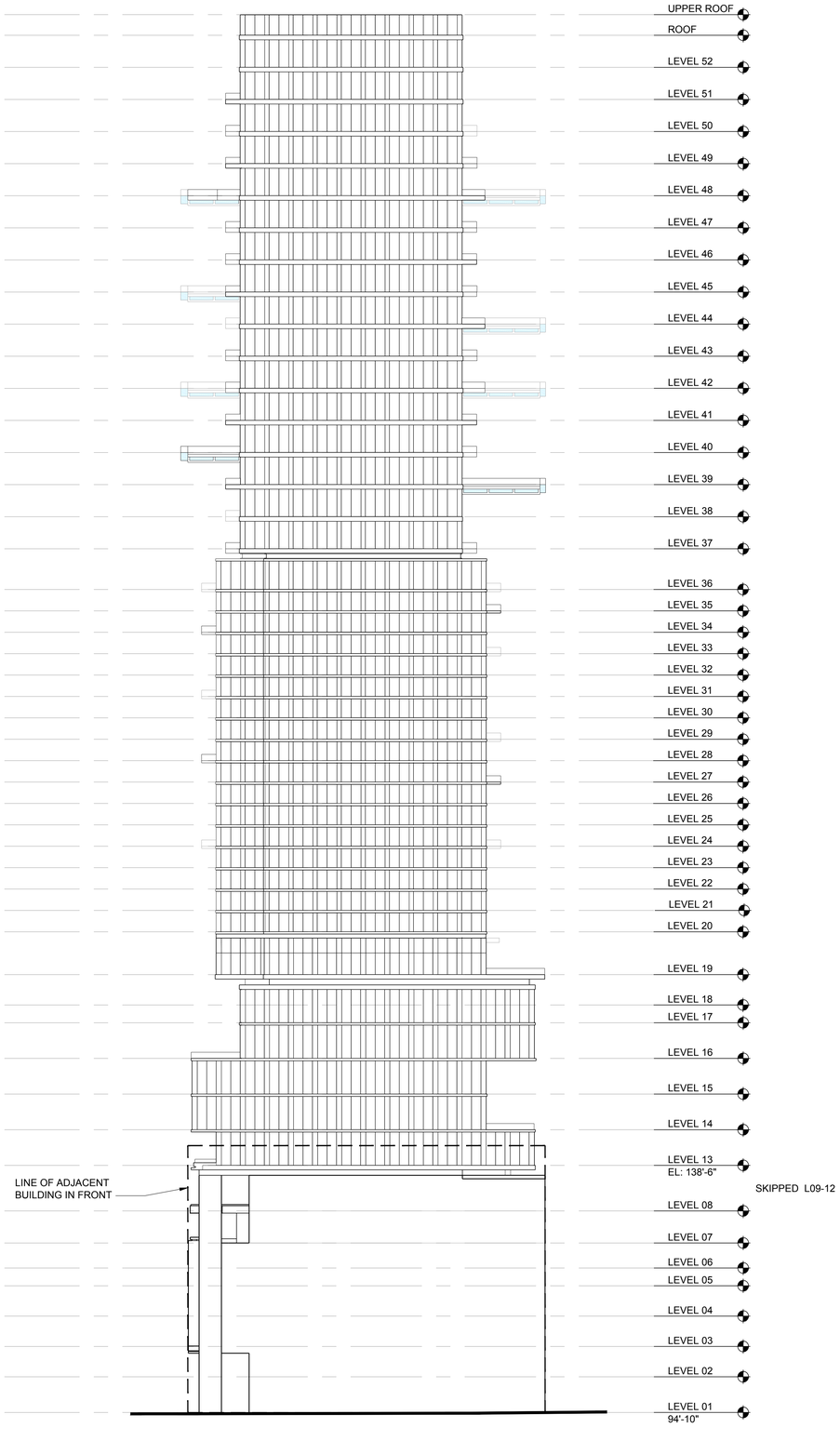

EAST BUILDING ELEVATION (1)

SCALE: 1/32"= 1'-0"

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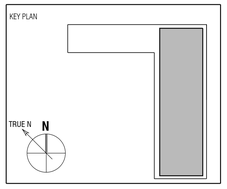
KEY PLAN



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Sheet Title:

BUILDING ELEVATION
EAST

Scale:

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A5.03A

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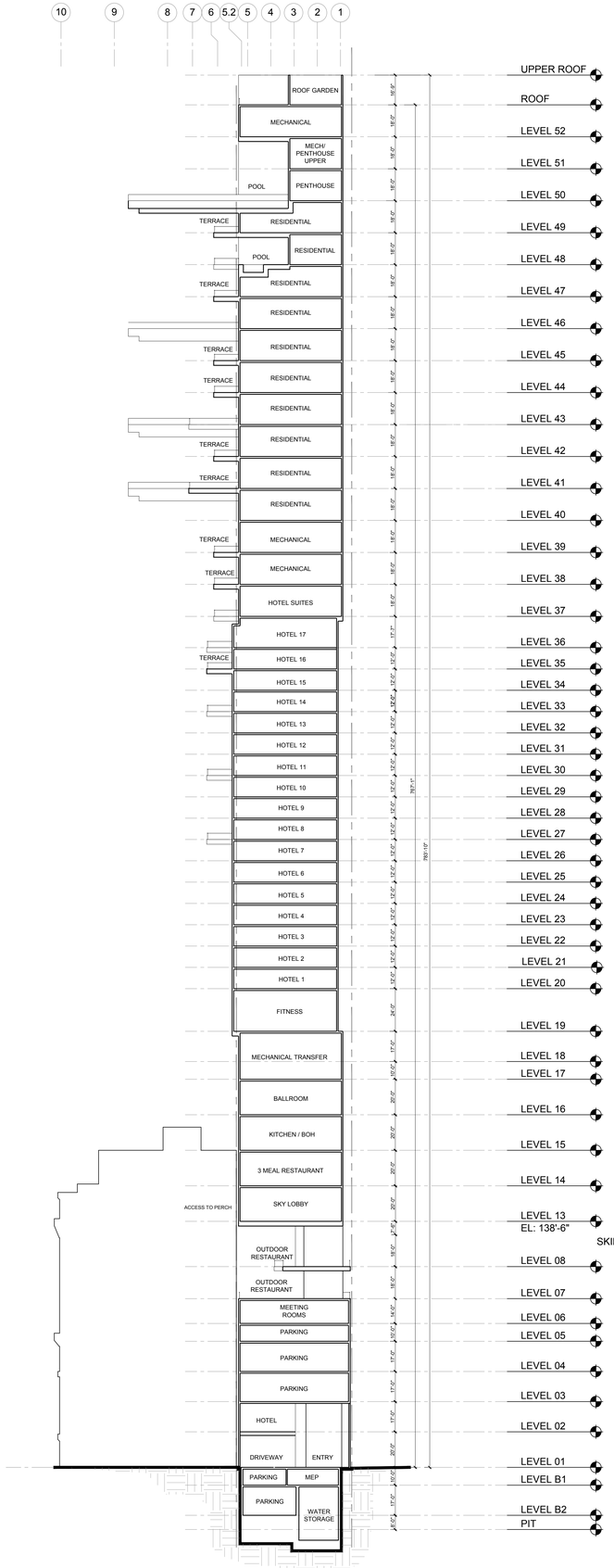
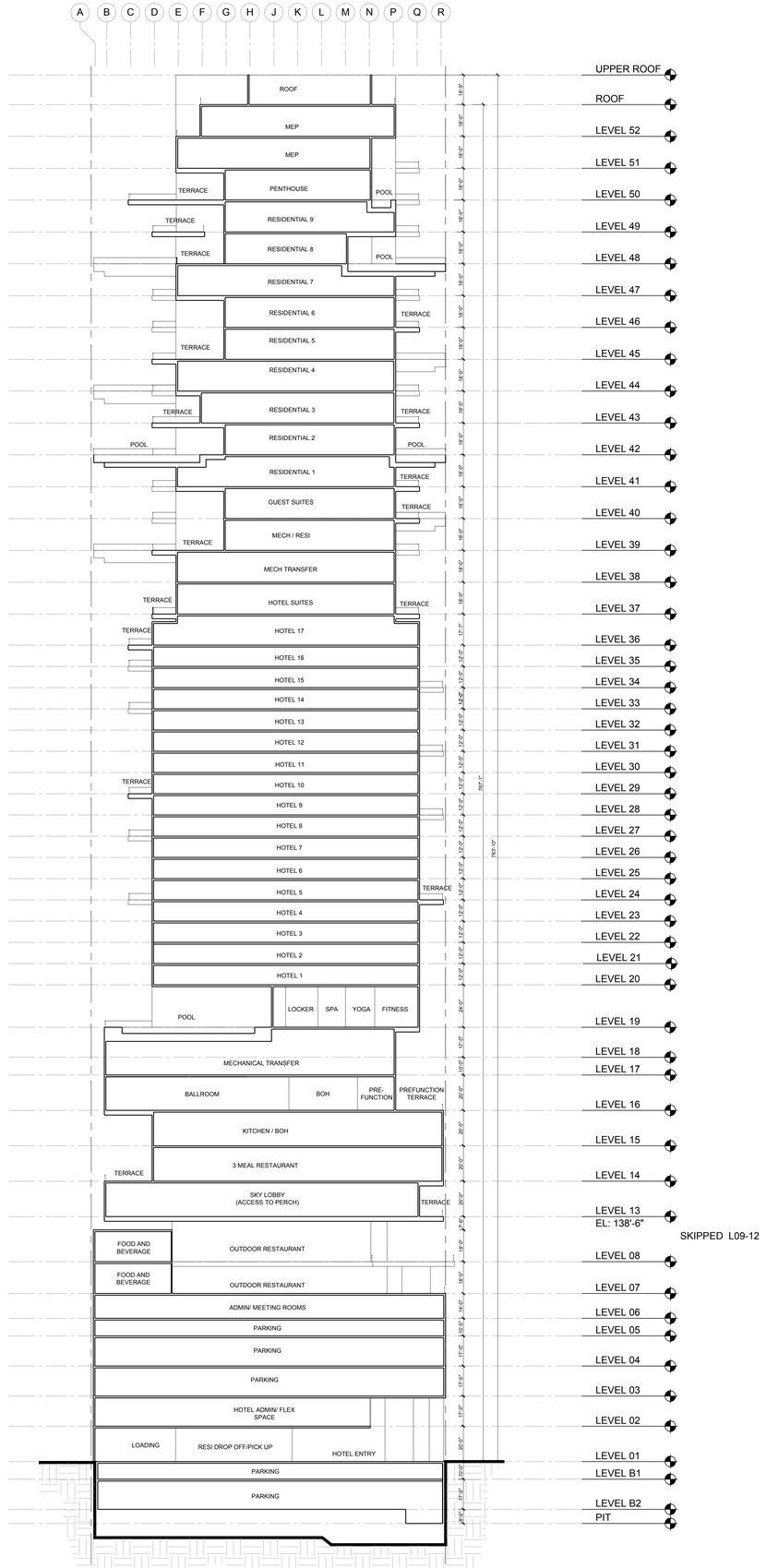


OPTION A - BUILDING SECTION B (2)

SCALE: 1/8"= 1'-0"



BUILDING SECTION A (1)

SCALE: 1/8"= 1'-0"

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Landscape Architect: MJS LANDSCAPE ARCHITECTURE

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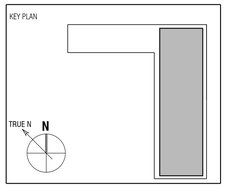
KEY PLAN



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BUILDING SECTIONS

Scale:

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A5.10A

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Civil Engineer:

FIRM NAME

STREET ADDRESS,

TEL. XXX.XXX.XXXX
FAX. XXX.XXX.XXXX

KEY PLAN

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LEVEL 1 CONCEPTUAL LANDSCAPE PLAN

Scale:

L.01

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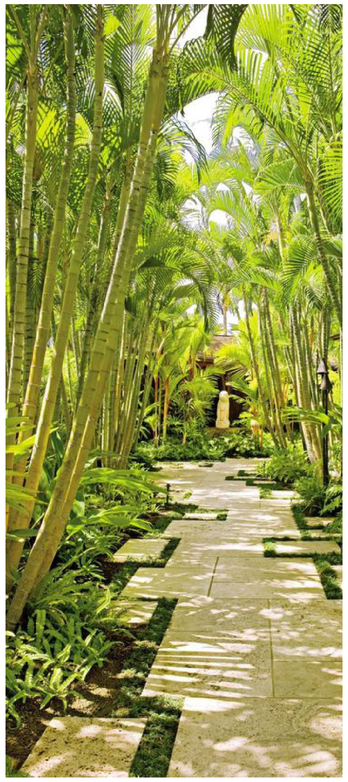

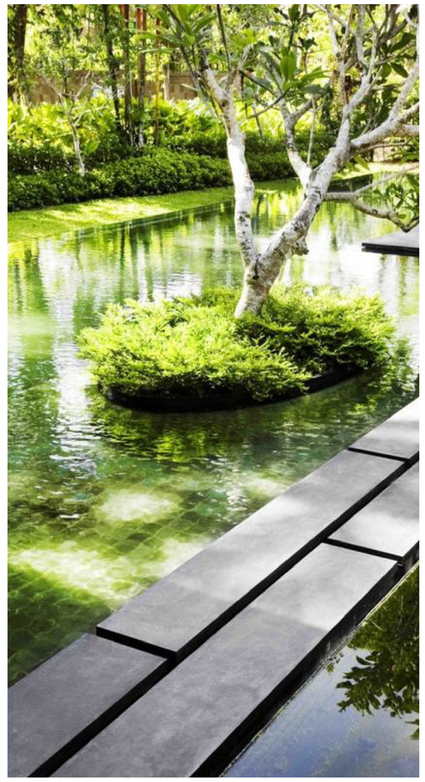

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Civil Engineer:

FIRM NAME

STREET ADDRESS,

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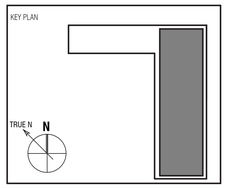
KEY PLAN



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L.02

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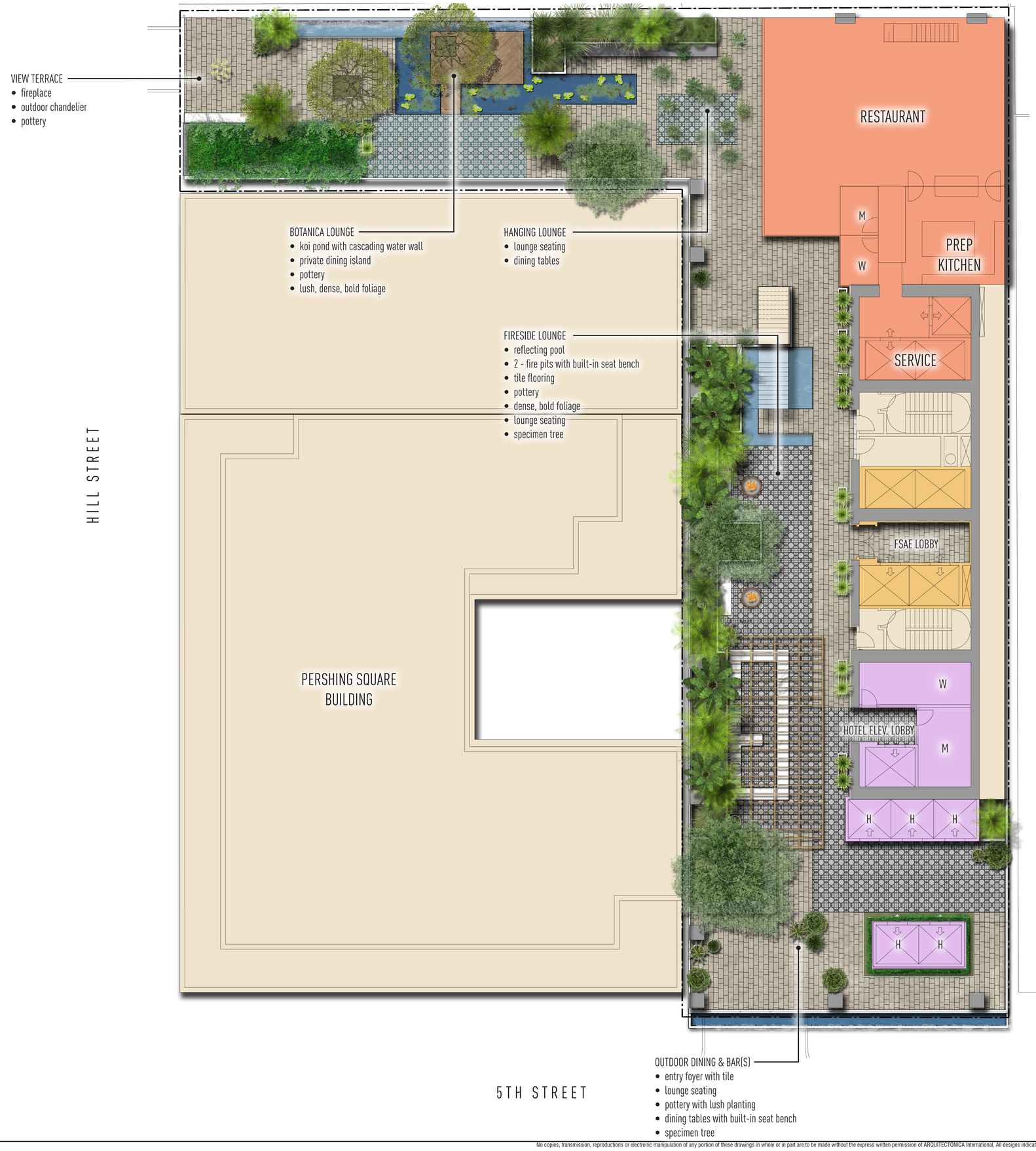

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Civil Engineer: FIRM NAME

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LEVEL 7 CONCEPTUAL LANDSCAPE PLAN

Scale:

L.03

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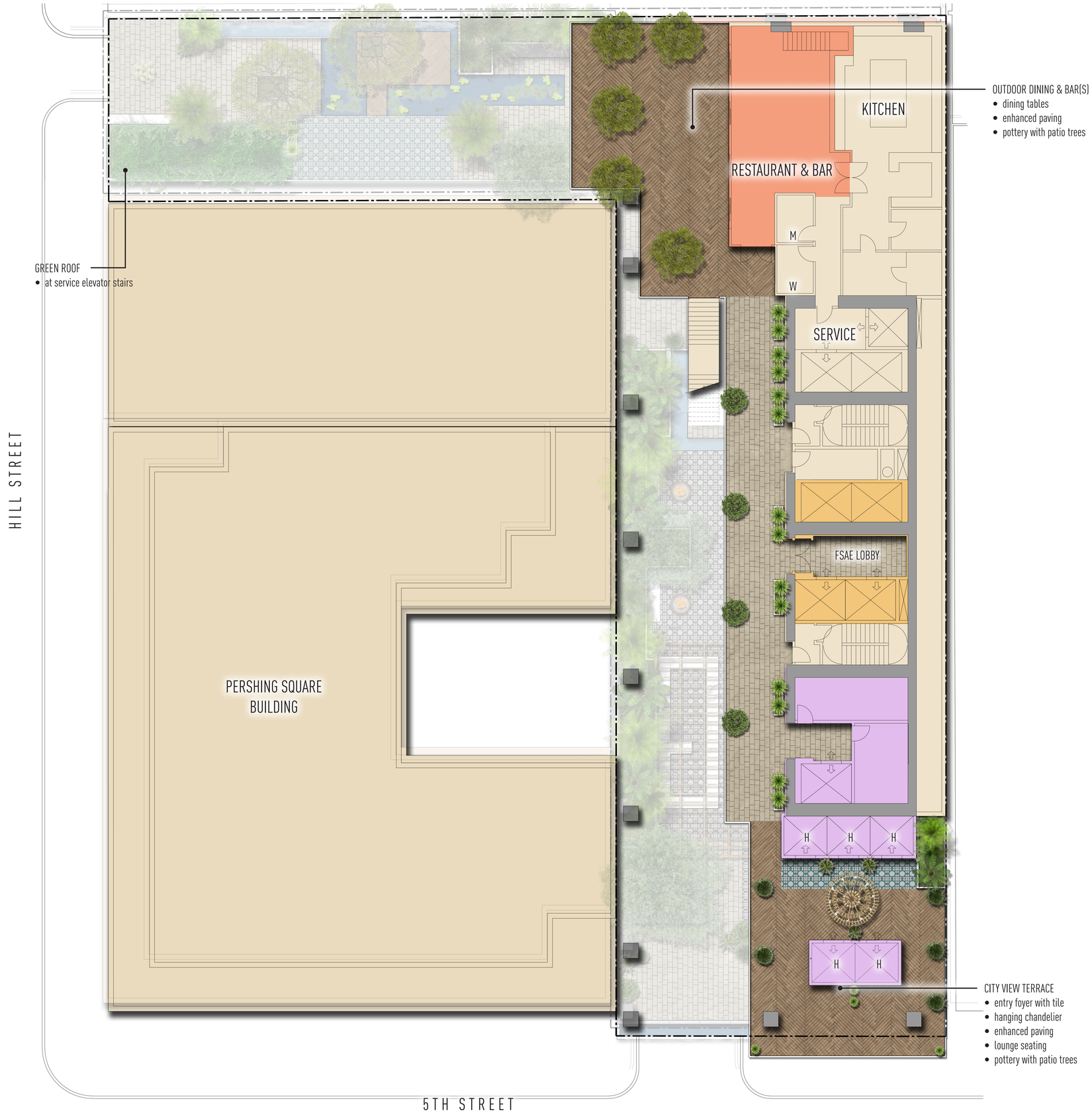

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Civil Engineer:

FIRM NAME

STREET ADDRESS,

TEL. XXX.XXX.XXXX
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Sheet Title:

LEVEL 8
CONCEPTUAL
LANDSCAPE PLAN

Scale:

L.04

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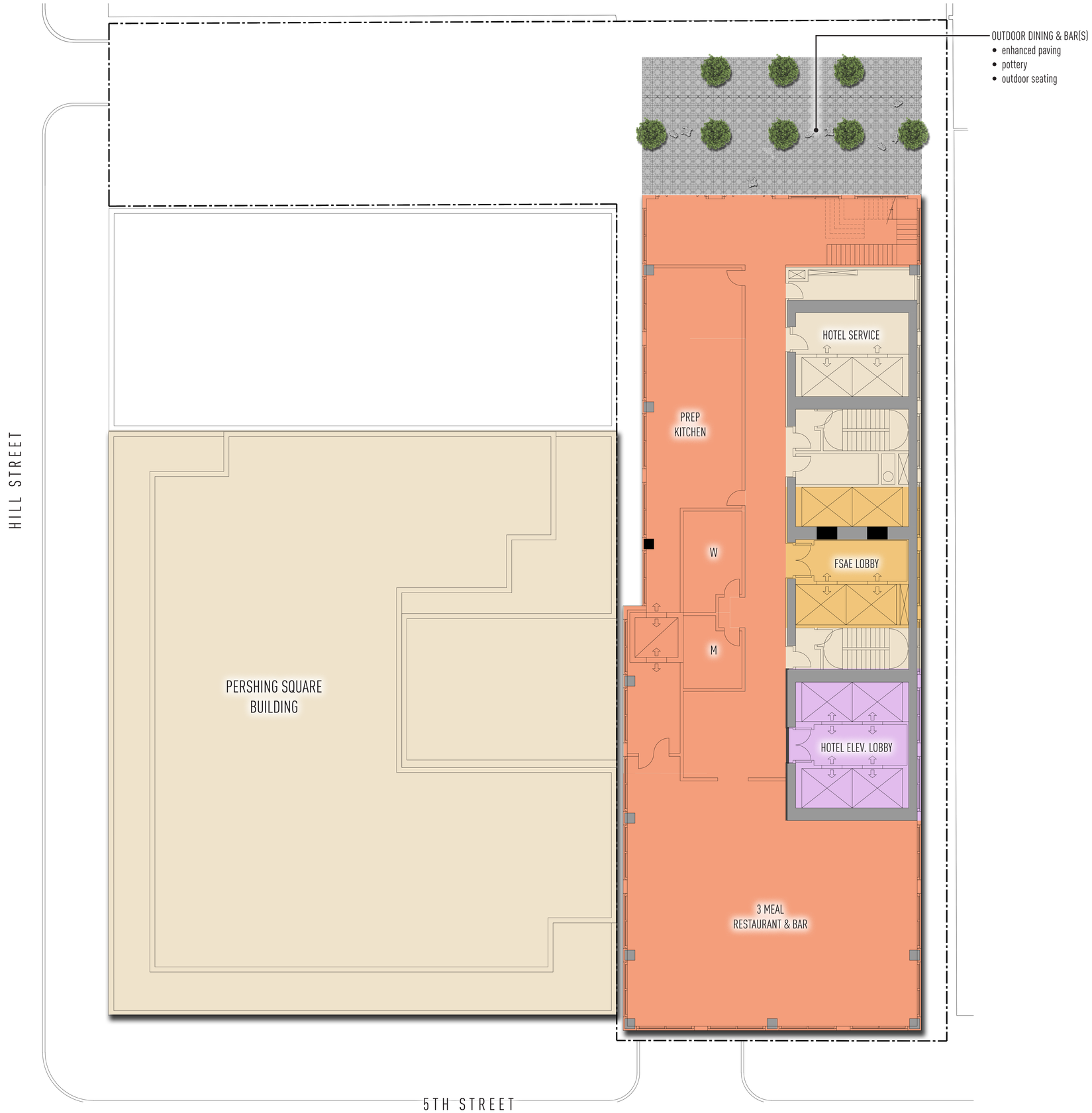

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TEL. XXX.XXX.XXXX
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LEVEL 14
CONCEPTUAL
LANDSCAPE PLAN

Scale:

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L.06

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0' 8' 16' 32'

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Owner:

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Civil Engineer:

FIRM NAME

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LEVEL 16
CONCEPTUAL
LANDSCAPE PLAN

Scale:

L.07

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LEVEL 19 CONCEPTUAL LANDSCAPE PLAN

Scale:

0' 8' 16' 32'

L.08

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5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

Owner:

JMF DEVELOPMENT LLC

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Architect:

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Civil Engineer:

FIRM NAME

STREET ADDRESS,

TEL. XXX.XXX.XXXX
FAX. XXX.XXX.XXXX

KEY PLAN

TRUE N

Seal / Signature:

DATE: JULY 29, 2019

Project No.: 3458

RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

Sheet Title:

LEVEL 38 CONCEPTUAL LANDSCAPE PLAN

Scale:

NOT FOR CONSTRUCTION

L.09

0' 8' 16' 32'

10/17/2017 5:12 PM

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Landscape Open Space Req.

PER LA CITY ZONING CODE, SECTION 12.21G

REQUIRED OPEN SPACE:	UNITS		REQUIRED:
UNIT WITH LESS THAN 3 HABITABLE ROOMS	0 x 100 SF	=	0 S.F.
UNIT WITH 3 HABITABLE ROOMS	9 x 125 SF	=	1,125 S.F.
UNIT WITH 4 OR MORE HABITABLE ROOMS	22 x 175 SF	=	3,850 S.F.
		TOTAL:	4,975 S.F.

PROVIDED OPEN SPACE:			PROVIDED:
EXTERIOR COMMON SPACE		=	5,130 S.F.
INDOOR COMMON SPACE (MAX. 35%)		=	1,741 S.F.
PRIVATE OPEN SPACE (MAX. 50 SQ. FT. PER UNIT)	31 x 50 SF	=	1,550 S.F.
		TOTAL COMMON OPEN SPACE PROVIDED =	8,421 S.F.

COMMON LANDSCAPE AREA PROVIDED:		
	REQUIRED (25% of 4,975 S.F.):	1,244 S.F.
LEVEL 7	=	1,496 S.F.
LEVEL 8	=	36 S.F.
LEVEL 19	=	79 S.F.
LEVEL 38	=	35 S.F.
	TOTAL COMMON LANDSCAPE PROVIDED =	1,646 S.F.

TREE QUANTITY REQUIREMENTS - MINIMUM 24 " BOX

ALL TREES / PALMS PLANTED IN MINIMUM 30" SOIL DEPTH

1 TREE PER 4 UNITS — 31 UNITS - UNITS/4 = — TREES REQUIRED: 8

TREES PROVIDED - 24" BOX OR GREATER

SHEETS	QUANTITY
Level 7 Courtyard	9
Level 8 Courtyard	11

TOTAL TREES: 20

General Planting Notes:

1. MAINTAIN SHRUBS AT 24" HIGH INSIDE OF STREET AND DRIVEWAY LINE OF SIGHT.
2. ROOT BARRIERS ARE REQUIRED FOR ALL TREES WITHIN 5' OF ANY HARDSCAPE SURFACE.

Irrigation Concept Note:

THE FOLLOWING IS A SUMMARY OF THE PROPOSED IRRIGATION CONCEPT FOR THE LANDSCAPED AREAS:

PURPOSE: TO PROVIDE THE LANDSCAPE MAINTENANCE COMPANY A MECHANICAL DEVICE TO DISTRIBUTE WATER AND ENSURE PLANT SURVIVAL IN THE MOST EFFICIENT MANNER AND WITHIN A TIME FRAME THAT LEAST INTERFERES WITH THE ACTIVITIES OF THE RESIDENTS.

CONCEPT: THE SYSTEM WILL DERIVE ITS WATER FROM THE CITY OF LOS ANGELES DEPARMENT of WATER AND POWER. ALL POINTS OF CONNECTIONS WILL BE PROTECTED BY A BACKFLOW PREVENTION UNIT IN ACCORDANCE WITH CITY OF LOS ANGELES DEPARMENT of WATER AND POWER STANDARDS. THE SYSTEM WILL UTILIZE VARIOUS TYPES OF IRRIGATION HEADS COMPATIBLE WITH THE AREA BEING WATERED AND INFILTRATION RATES OF THE SOIL WITH MATCHED PRECIPITATION RATES. THE SYSTEM WILL BE CONTROLLED BY A "SMART CONTROLLER" AND MOISTURE SENSING EQUIPMENT. VALVES PROGRAMMED FROM AUTOMATIC CONTROLLERS WILL MAXIMIZE EFFICIENT WATER APPLICATION.

TO AVOID WASTED WATER, THE CONTROLS WILL BE OVERSEEN BY A FLOW MONITOR THAT WILL DETECT ANY BROKEN SPRINKLER HEADS TO STOP THAT STATION'S OPERATION, ADVANCING TO THE NEXT WORKABLE STATION. IN THE EVENT OF PRESSURE SUPPLY LINE BREAKAGE, IT WILL COMPLETELY STOP THE OPERATION OF THE SYSTEM. ALL MATERIAL WILL BE NONFERROUS, WITH THE EXCEPTION OF THE BRASS PIPING INTO AND OUT OF THE BACKFLOW UNITS. ALL WORK WILL BE IN THE BEST ACCEPTABLE MANNER IN ACCORDANCE WITH APPLICABLE CODES AND STANDARDS PREVAILING IN THE INDUSTRY. WATERING WILL COMFORM WITH CITY OF LOS ANGELES WATER CONSERVATION REQUIREMENTS.

Preliminary Plant Palette

319 W. 5th STREET LOS ANGELES, CA 90013

The objective of the overall landscaping concept is to provide a distinct visual impression and community identity, soften the urban experience implementing the Downtown Design Guide principles, provide the highest level of aesthetic standards complimented by the quality of the building materials that will assure an attractive environment enhancing the quality of life among its residents and visitors.

Successful streetscapes are a partnership between the building design and the landscaped edge of the street distinguishing each type of street through distinctive landscaping, lighting and street furnishings as depicted in the Downtown Design Guide.

The landscape irrigation concept for the site will be designed to provide the most efficient and conserving means to distribute irrigation water and provide the Property Manager with the latest technology for water conservation.

The following plant material as selected is compliant with City of Los Angeles Green Initiatives or Cal Green equivalent including consideration for water conservation and non-invasive species.

TREES:

Botanical Name	Common Name	Size:
W. 5th Street:		
No Street Tree proposed due to drive apron and line of sight considerations.		
Hill Street:		
No Street Tree proposed due to drive apron and line of sight considerations.		
1st Level		
Ficus m. 'Green Gem'	Green Gem Laurel (Column)	36" box
Laurus noblis 'Saratoga'	Sweet Bay	36" box
7th Level Podium Terrace (in raised planters and pottery)		
Aloe barberae	Tree Aloe	24" box
Arbutus 'Marina'	Hybrid Strawberry Tree	36" box
Archontophoenix cunninghamiana	King Palm	48" box
Bambusa oldhamii	Timber Bamboo	24" box
Brahea armata	Mexican Blue Palm	36" box
Citrus species	Thornless Citrus	24" box
Draceana draco	Dragon Tree	24" box
Erythrina crista-galli	Cockspur Coral Tree	48" box
Howea forsteriana	Kentia Palm	36" box
Magnolia 'Samuel Sommers'	Southern Magnolia	36" box
Olea europeae 'Swan Hill'	Fruitless Olive	48" box
Plumeria obtusa 'Singapore White'	Singapore Plumeria	36" box
Prunus caroliniana 'Bright& Tight'	Compact Carolina Cherry	24" box
Trachycarpus fortunei	Windmill Palm	6'-10' b.t.h.
Podium Terrace and Rooftop (in raised pottery)		
Aloe barberae	Tree Aloe	24" box
Archontophoenix cunninghamiana	King Palm	48" box
Bambusa oldhamii	Timber Bamboo	24" box
Citrus species	Thornless Citrus	24" box
Draceana draco	Dragon Tree	24" box
Howea forsteriana	Kentia Palm	36" box
Olea europeae 'Swan Hill'	Fruitless Olive	48" box
Plumeria obtusa 'Singapore White'	Singapore Plumeria	36" box

SHRUBS and GROUNDCOVERS:

Botanical Name	Common Name
Large shrubs *(minimum 5 gallon size at 3' o.c.)*	
Arbutus unedo	Strawberry Tree
Furcraea 'Mediopicta'	Mauritius Hemp
Hibiscus rosa-sinensis	Tropical Hibiscus
Philodendron monstera	Philodendron
Phormium Hybrid	Hybrid Flax
Strelitzia nicolai	Giant Bird of Paradise
Tecoma stans	Yellow Bells
Medium Shrubs *(minimum 5 gallon size)*	
Bougainvillea species	Bouganivillea
Callistemon 'Little John'	Dwarf Bottlebrushco
Dietes vegeta 'Orange Drop'	Fortnight Lily
Grevillia species	Grevillia
Pittosporum species	Mock Orange
Philodendron xanadu	Dwarf Philodendron
Raphiolepis indica species	India Hawthorn
Strelitzia reginae	Bird of Paradise
Low Shrubs and Groundcovers *(minimum 1 gallon size)*	
Carissa m. 'Boxwood Beauty'	Natal Plum
Carex species	Sedge
Hemerocallis hybrids	Evergreen Daylilies
Rosmarinus o. prostratus	Dwarf Rosemary
Accent/color shrubs *(minimum 5 gallon size)*	
Aeonium x floribundum	Aeonium Hybrid
Anigozanthus Hybrids species	Kangaroo Paws
Aloe species	Aloe
Agave species	Agave
Canna species	Canna
Cycas revoluta	Sago
Dasylirion wheelerii	Desert Spoon
Hesperaloe parvifola	Red Yucca
Muhlenbergia capillaris	Pink Muhly

Line of Sight Note:
Maintain shrubs at 24" high inside of Line of Sight at street intersections.

NOT FOR CONSTRUCTION

10/17/2017 5:12 PM

5TH & HILL

W 5TH STREET,
LOS ANGELES CA 90013

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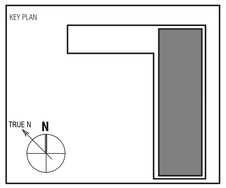
Civil Engineer: FIRM NAME
STREET ADDRESS,
TEL. XXX.XXX.XXXX
FAX. XXX.XXX.XXXX

KEY PLAN



Seal / Signature:

DATE: JULY 29, 2019

Project No.: 3458

RevNo.	Date	Description
	12/21/2017	UPDATED EIR SET
	07/29/2019	PLANNING UPDATE

Full Size Print: 30" x 42"

Sheet Title:

PLANT PALETTE / LANDSCAPE NOTES OPEN SPACE

Scale:

L.10

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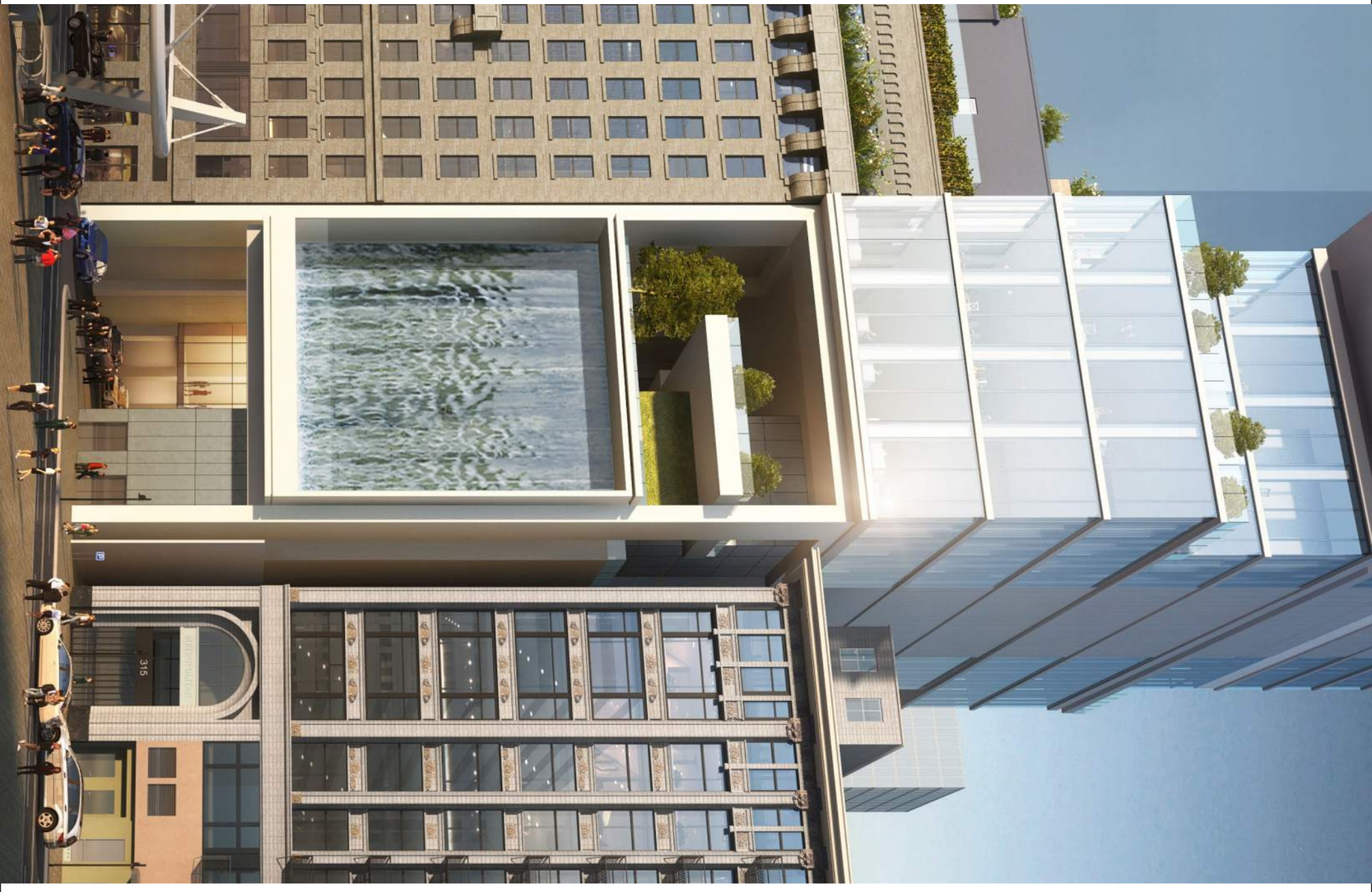
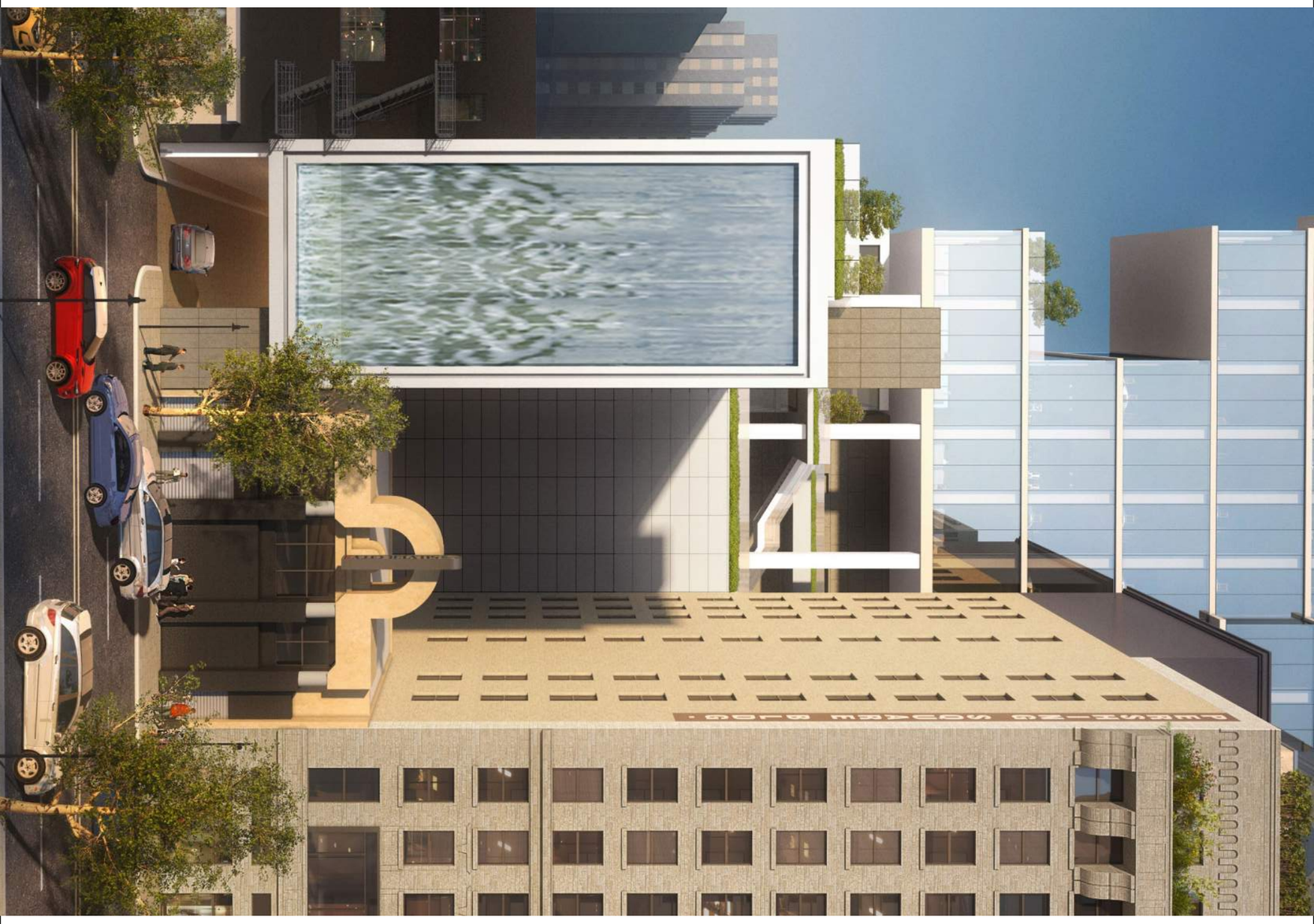
EXHIBIT A-2
CPC-2016-3765
RENDERINGS

BUILDING PERSPECTIVE

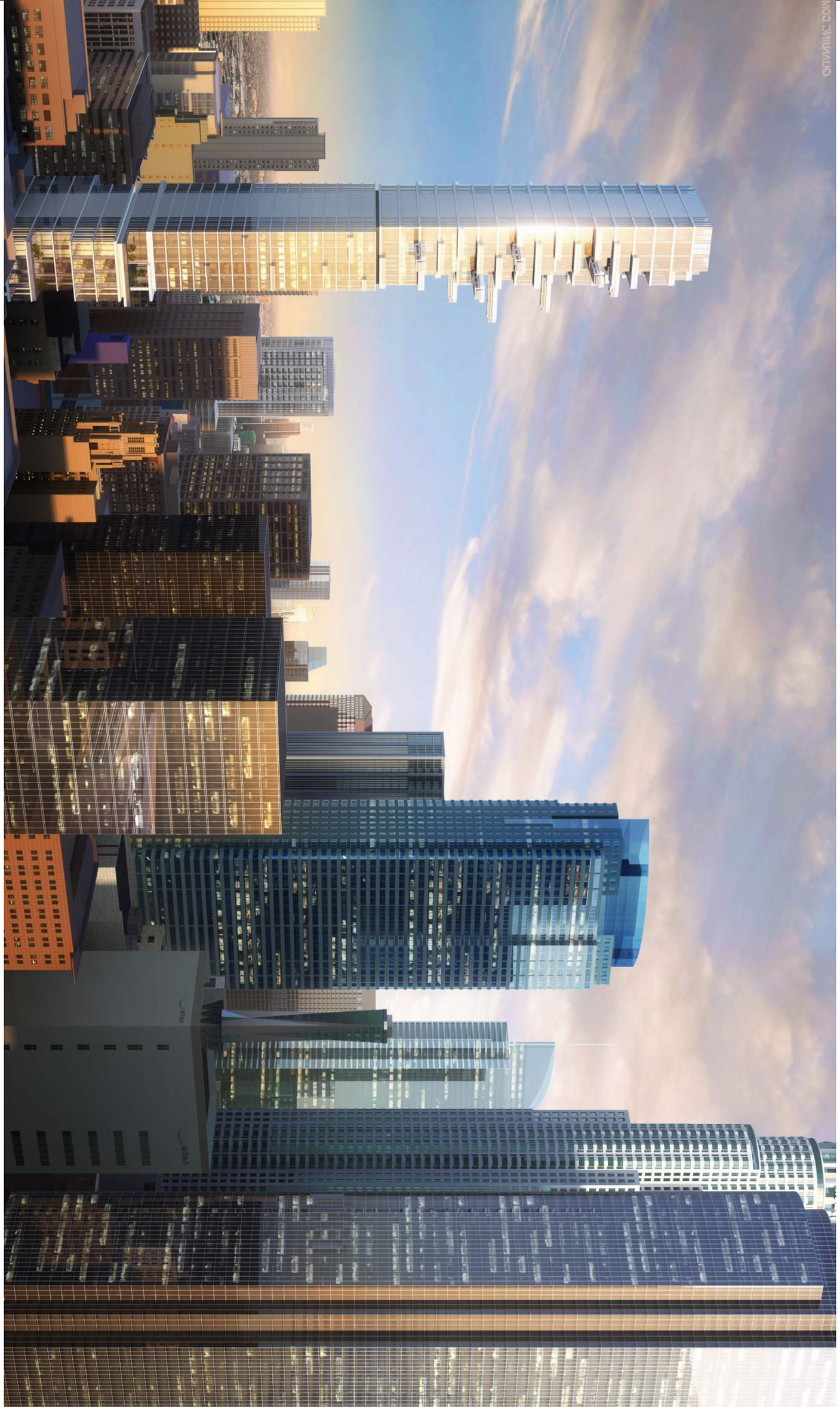


5TH STREET ENTRY - WATER ON



HILL STREET GARAGE ENTRY - WATER ON

VIEW FROM BROADWAY



VIEW FROM NORTH SIDE

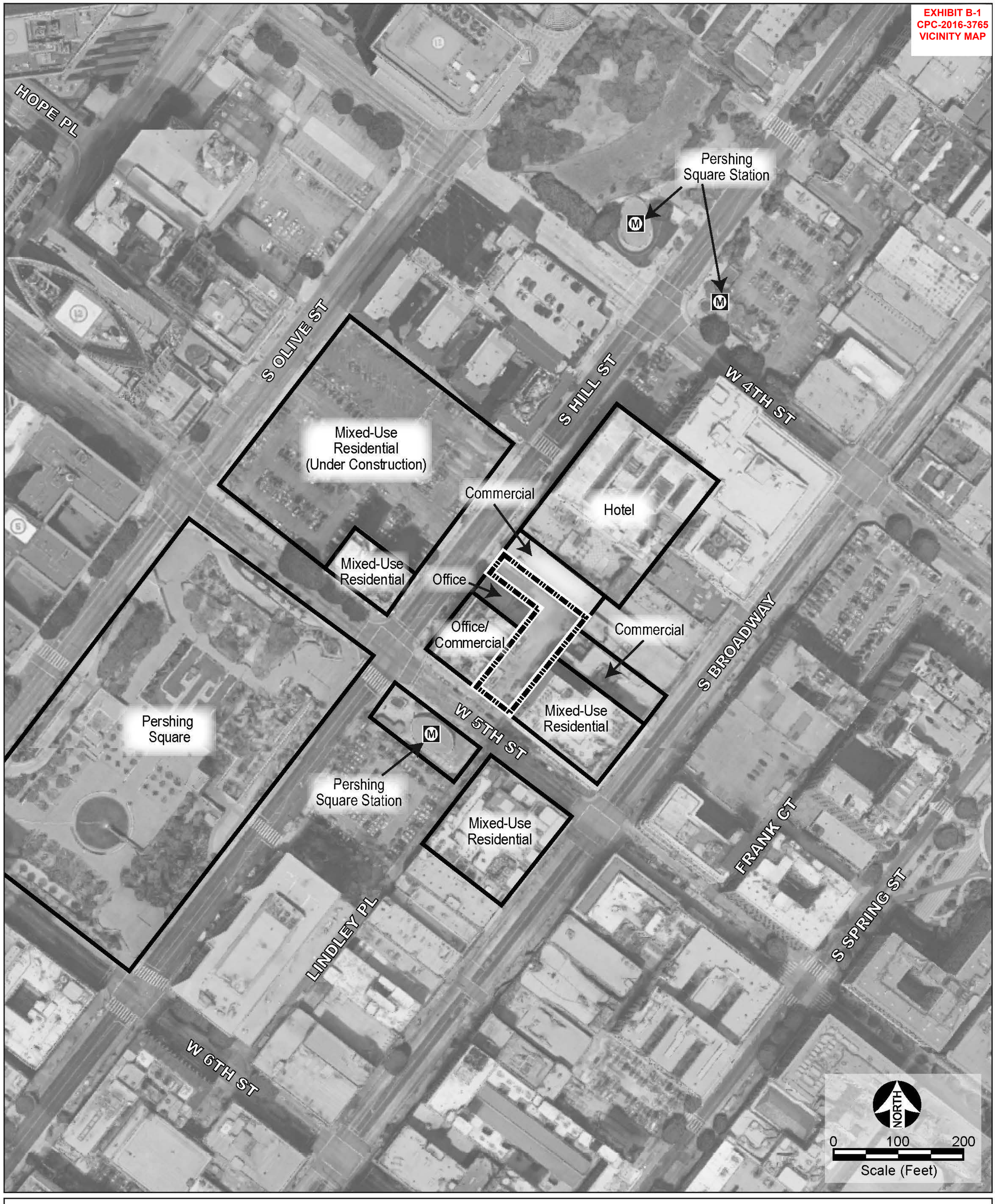
LEVEL 7 OUTDOOR RESTAURANT

LEVEL 19 HOTEL SWIMMING POOL

HOTEL GUESTROOM

PENTHOUSE LOWER LEVEL

PENTHOUSE POOL



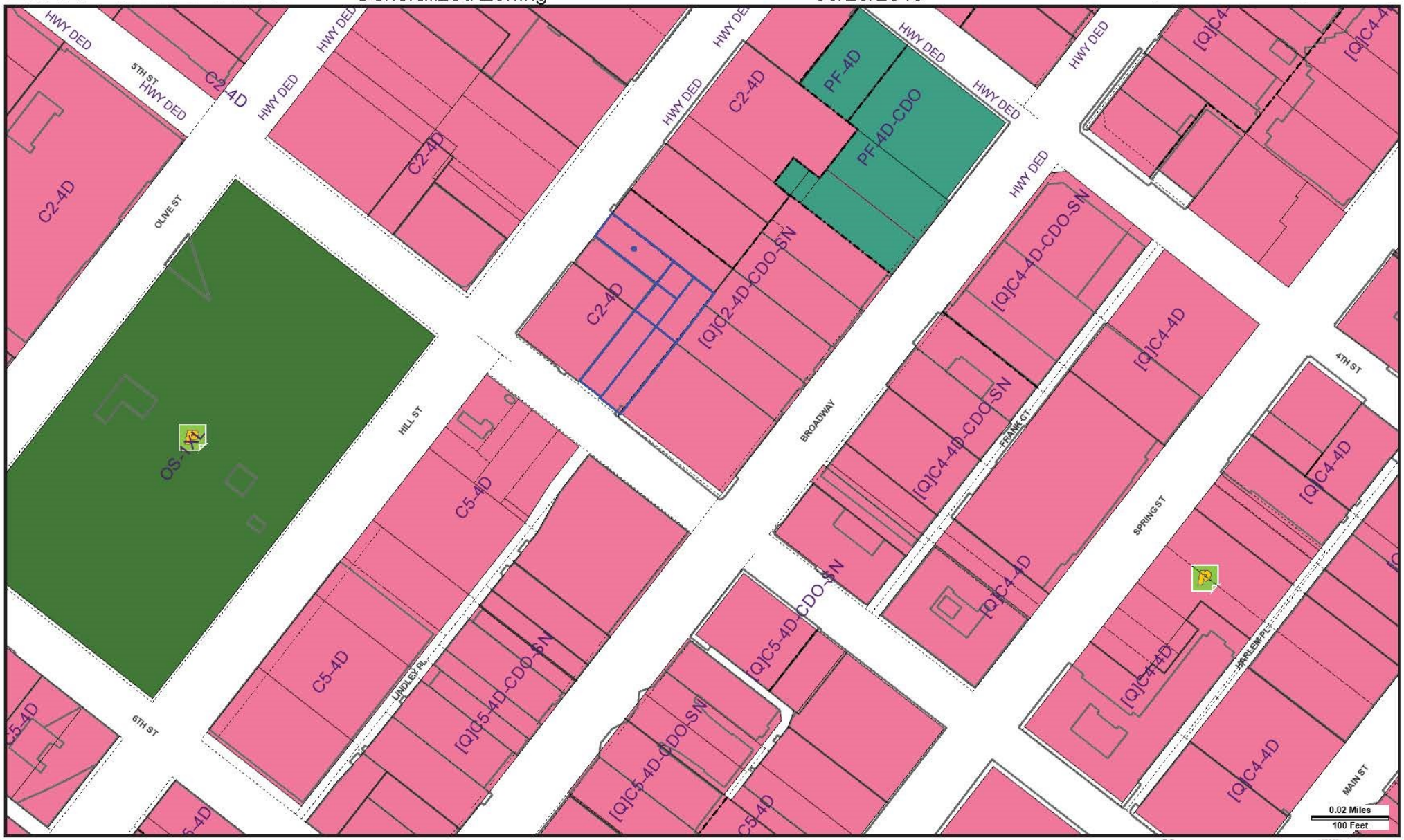
Legend

Project Site

Source: Google Maps., 2016.

EXHIBIT B-2
CPC-2016-3765
ZONING MAP

Generalized Zoning 08/26/2019



Address: 440 S HILL ST

Tract: RESUBDIVISION OF A PORTION OF BLOCK 11 ORD'S SURVEY

Zoning: C2-4D

APN: 5149026009

Block: None

General Plan: Regional Center Commercial

PIN #: 129A211 36

Lot: LT B

Arb: None

N
W E
S

EXHIBIT B-3
CPC-2016-3765
LAND USE MAP

General Plan Land Use 08/26/2019

Address: 440 S HILL ST

APN: 5149026009

PIN #: 129A211 36

Tract: RESUBDIVISION OF A PORTION OF BLOCK 11 ORD'S SURVEY

Block: None

Lot: LT B

Arb: None

Zoning: C2-4D

General Plan: Regional Center Commercial

N W E S

IV. Mitigation Monitoring Program

1. Introduction

This Mitigation Monitoring Program (MMP) has been prepared pursuant to Public Resources Code Section 21081.6, which requires a Lead Agency to adopt a "reporting or monitoring program for changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." In addition, Section 15097(a) of the State CEQA Guidelines requires that a public agency adopt a program for monitoring or reporting mitigation measures and project revisions, which it has required to mitigate or avoid significant environmental effects. This MMP has been prepared in compliance with the requirements of CEQA, Public Resources Code Section 21081.6 and Section 15097 of the State CEQA Guidelines.

The City of Los Angeles is the Lead Agency for the Project and therefore is responsible for administering and implementing the MMP. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation; however, until mitigation measures have been completed, the Lead Agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

An Environmental Impact Report (EIR) has been prepared to address the potential environmental impacts of the Project. The evaluation of the Project's impacts in the EIR takes into consideration the project design features (PDF) and applies mitigation measures (MM) needed to avoid or reduce potentially significant environmental impacts. This MMP is designed to monitor implementation of the PDFs and MMs identified for the Project.

2. Organization

As shown on the following pages, each identified project design feature and mitigation measure for the Project is listed and categorized by environmental impact area, with accompanying identification of the following:

- Enforcement Agency: the agency with the power to enforce the PDF or MM.
- Monitoring Agency: the agency to which reports involving feasibility, compliance, implementation, and development are made.
- Monitoring Phase: the phase of the Project during which the PDF or MM shall be monitored.
- Monitoring Frequency : the frequency at which the PDF or MM shall be monitored.
- Action Indicating Compliance: the action by which the Enforcement or Monitoring Agency indicates that compliance with the identified PDF or required MM has been implemented.

3. Administrative Procedures and Enforcement

This MMP shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each PDF and MM and shall be obligated to provide certification, as identified below, to the appropriate monitoring and enforcement agencies that each PDF and MM has been implemented. The Applicant shall maintain records demonstrating compliance with each PDF and MM. Such records shall be made available to the City upon request.

During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of PDFs and MMs during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the Applicant's compliance with the PDFs and MMs during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the MMs and PDFs within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

4. Program Modification

After review and approval of the final MMP by the Lead Agency, minor changes and modifications to the MMP are permitted, but can only be made subject to City approval. The Lead Agency, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed change or modification. This flexibility is necessary in light of the nature of the MMP and the need to protect the environment. No changes will be permitted unless the MMP continues to satisfy the requirements of CEQA, as determined by the Lead Agency.

The Project shall be in substantial conformance with the PDFs and MMs contained in this MMP. The enforcing departments or agencies may determine substantial conformance with PDFs and MMs in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a PDF or MM may be modified or deleted as follows: the enforcing department or agency, or the decision maker for a subsequent discretionary project related approval finds that the modification or deletion complies with CEQA, including CEQA Guidelines Sections 15162 and 15164, which could include the preparation of an addendum or subsequent environmental clearance, if necessary, to analyze the impacts from the modifications to or deletion of the PDFs or MMs. Any addendum or subsequent CEQA clearance shall explain why the PDF or MM is no longer needed, not feasible, or the other basis for modifying or deleting the

PDF or MM, and that the modification will not result in a new significant impact consistent with the requirements of CEQA. Under this process, the modification or deletion of a PDF or MM shall not, in and of itself, require a modification to any Project discretionary approval unless the Director of Planning also finds that the change to the PDF or MM results in a substantial change to the Project or the non-environmental conditions of approval.

5. Mitigation Monitoring Program

a) Aesthetics[1]

(1) Project Design Features

AES-PDF-1 Light

Light sources associated with the Project construction will be shielded and/or aimed so that no direct beam illumination is provided outside of the Project Site boundary. However, construction lighting will not be so limited as to compromise the safety of construction workers.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Construction; pre-operation

Monitoring Frequency: Once at Project plan check; once during field inspection

Action Indicating Compliance: Plan approval and issuance of applicable building permit; Field inspection sign-off

AES-PDF-2 Light

Outdoor security and architectural lighting will be shielded and/or directed toward the areas to be lit to limit spill-over onto adjacent uses where appropriate.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Construction; pre-operation

Monitoring Frequency: Once at Project plan check; once during field inspection

Action Indicating Compliance: Plan approval and issuance of applicable building permit; Field inspection sign-off

[1] The aesthetics PDFs from the Initial Study has the word “shall” changed to “will” to be consistent with other PDFs, but the meaning has been retained.

AES-PDF-3 Glare

Glass used in building facades will minimize glare (e.g., minimize the use of glass with mirror coatings). Consistent with applicable energy and building code requirements, including Section 140.3 of the California Energy Code as may be amended, glass with coatings required to meet the Energy Code requirements will be permitted.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Construction; pre-operation

Monitoring Frequency: Once at Project plan check; once during field inspection

Action Indicating Compliance: Plan approval and issuance of applicable building permit; Field inspection sign-off

(2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.

b) Air Quality

(1) Project Design Features

No project design features are identified in the EIR for this environmental issue.

(2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.

c) Cultural Resources

(1) Project Design Features

CUL-PDF-1 Archaeological Resources

Retain a Qualified Archaeologist. The Project Applicant will retain a qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's Standards for professional archaeology, during the initial excavation phase to carry out all design features related to archaeological resources.

Prepare a Monitoring Plan. Prior to the commencement of excavation an Archaeological Resources Monitoring Plan (Monitoring Plan) will be prepared. The Monitoring Plan will include, but not be limited to, monitoring protocol for excavation, a construction worker training program, and discovery and

processing protocol for inadvertent discoveries of archaeological resources. The Monitoring Plan will identify areas with moderate to high sensitivity determined for cultural resources that require monitoring and detail a protocol for determining circumstances in which additional or reduced levels of monitoring (e.g., spot-checking) may be appropriate. Specifically, the Monitoring Plan will include a framework for assessing the geoarchaeological setting to determine whether sediments capable of preserving archaeological remains are present, and the depth at which these sediments would no longer be capable of containing archaeological material.

Worker Training. Prior to the commencement of excavation, at the project kickoff, the selected qualified archaeologist or their designee will provide a briefing to construction crews to provide information on regulatory requirements for the protection of archaeological resources. As part of this training, construction crews will be briefed on proper procedures to follow should unanticipated archaeological resources discoveries be made during construction. Workers will be provided contact information and protocols to follow if inadvertent discoveries are made. In addition, workers will be shown examples of the types of archaeological resources that would require notification of the project archaeologist.

Monitoring for Archaeological Resources. Prior to ground disturbance, an archaeological monitor will be present during initial excavation activities as stipulated in the Monitoring Plan. The qualified archaeologist may designate an archaeologist to conduct the monitoring under their direction. Field observations will be performed regarding the geoarchaeological setting to determine the presence of undisturbed sediments capable of preserving archaeological remains, and the depth at which these sediments would no longer be capable of containing archaeological material. The duration and timing of the monitoring will be determined by the qualified archaeologist in consultation with the Department of City Planning and the project applicant. At the conclusion of monitoring activities, a technical report will be prepared documenting the methods and results of all work completed under the Monitoring Plan. The report will be prepared under the supervision of a qualified archaeologist and submitted to City Planning and the SCCIC.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: To be determined by consultation with archaeologist

Action Indicating Compliance: Submittal of compliance documentation prepared by qualified archaeologist

(2) Mitigation Measures

CUL-MM-1 Shoring Plan

Prior to the issuance of grading permits, the Applicant shall provide a shoring plan, prepared by a qualified structural engineer with relevant experience in historic preservation projects for review and approval in the City of Los Angeles, to ensure the protection of the Pershing Square Building and Metropolitan Building during construction.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Once at plan check

Action Indicating Compliance: Submittal of compliance documentation prepared by qualified structural engineer

CUL-MM-2 Paleontology Resources

A qualified paleontologist shall be retained to perform periodic inspections of excavation and grading activities at the Project Site. The frequency of inspections shall be based on consultation with the paleontologist and shall depend on the rate of excavation and grading activities and the materials being excavated.

If paleontological materials are encountered, the paleontologist shall temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage.

The paleontologist shall then assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The Project Applicant shall then comply with the recommendations of the evaluating paleontologist, and a copy of the paleontological survey report shall be submitted to the Los Angeles County Natural History Museum.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: To be determined by consultation with paleontologist

Action Indicating Compliance: Submittal of compliance documentation prepared by qualified paleontologist

d) Geology and Soils

(1) Project Design Features

No project design features are identified in the EIR for this environmental issue.

(2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.

e) Greenhouse Gas Emissions

(1) Project Design Features

GHG-PDF-1 At least 20 percent of the total code-required parking spaces provided for all types of parking facilities shall be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Only raceways and related components are required to be installed at the time of construction. When the application of the 20-percent requirement results in a fractional space, round up to the next whole number. A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

Enforcement Agency: City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning

Monitoring Agency: City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning

Monitoring Phase: Pre-construction; construction

Monitoring Frequency: Once at Project plan check; once during field inspection

Action Indicating Compliance: Plan approval and issuance of applicable building permit; issuance of Certificate of Occupancy

GHG-PDF-2 At least 5 percent of the total code-required parking spaces shall be equipped with EV charging stations. Plans shall indicate the proposed type and location(s) of charging stations. Plan design shall be based on Level 2 or greater EVSE at its maximum operating capacity. When the application of the 5-percent requirement results in a fractional space, round up to the next whole number.

Enforcement Agency: City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning

Monitoring Agency: City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning

Monitoring Phase: Pre-construction; construction

Monitoring Frequency: Once at Project plan check; once during field inspection

Action Indicating Compliance: Plan approval and issuance of applicable building permit; issuance of Certificate of Occupancy

(2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.

f) Hazard and Hazardous Materials

(1) Project Design Features

No project design features are identified in the EIR for this environmental issue.

(2) Mitigation Measures

HAZ-MM-1 Soil Management Plan

A Soil Management Plan (SMP) shall be implemented for the Project Site and shall contain the following:

- A summary of Site topography and soil conditions;
- Decision matrix for the application of the SMP procedures;
- Description of applicable earthwork and maintenance activities that will trigger the SMP procedures;
- Discussion of applicable regulations for performing earthwork in potentially contaminated soil areas, including those from the California Occupational Safety and Health Administration (CAL/OSHA), the SCAQMD, and the LARWQCB;
- Health & safety procedures for worker safety, personal protective equipment, and training;
- Air pollution measurement and control measures for compliance with SCAQMD Rules 403 and 1166;

- Stormwater pollution control measures and best management practices (BMPs) to prevent runoff;
- Ways to identify potentially impacted soils;
- Truck traffic planning procedures;
- Recommended Site security procedures;
- Stockpile management;
- Stockpile profiling;
- Decontamination procedures; and
- Record keeping procedures.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction; construction

Monitoring Frequency: Once prior to issuance of grading permit; Ongoing with periodic field inspections during construction for plan implementation

Action Indicating Compliance: Approval of Soil Management Plan by regulatory agency (Pre-construction); written compliance report by a qualified environmental consultant (Construction)

g) Hydrology and Water Quality

(1) Project Design Features

No project design features are identified in the EIR for this environmental issue.

(2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.

h) Land Use Planning

(1) Project Design Features

No project design features are identified in the EIR for this environmental issue.

(2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.

i) Noise

(1) Project Design Features

No project design features are identified in the EIR for this environmental issue.

(2) Mitigation Measures

NOI-MM-1 All capable diesel-powered construction vehicles shall be equipped with exhaust mufflers, aftermarket dampening system or other suitable noise reduction devices.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodically during construction

Action Indicating Compliance: Field inspection sign-off

NOI-MM-2 Eight-foot tall sound curtains shall be utilized to block the line-of-sight travel of construction noises from the Project Site to Metropolitan Residences' windows directly facing the construction site.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodically during construction

Action Indicating Compliance: Field inspection sign-off

NOI-MM-3 Power construction equipment (including combustion engines), fixed or mobile, shall be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodically during construction

Action Indicating Compliance: Field inspection sign-off

NOI-MM-4 Grading and construction contractors shall use rubber-tired equipment rather than metal-tracked equipment.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodically during construction

Action Indicating Compliance: Field inspection sign-off

NOI-MM-5 An on-site construction manager shall be responsible for responding to local complaints about construction noise. All notices that are sent to residential units within 500 feet of the construction site and all signs posted at the construction site shall list the telephone number for the on-site construction manager. Notices shall contain a brief description of the Project. Notices shall be sent out 2 weeks prior to the commencement of ground-disturbing activities.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once during field inspection

Action Indicating Compliance: Field inspection sign-off

NOI-MM-6 Haul routes shall be located on major arterial roads within non-residential areas. Haul routes shall be reviewed and approved by Los Angeles Department of Building and Safety before the haul route can be located on arterial roads in residential areas.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once during field inspection

Action Indicating Compliance: Field inspection sign-off

NOI-MM-7 Construction supervisors shall be informed of Project-specific noise requirements, noise issues for sensitive land uses adjacent to the construction site, and/or equipment operations to ensure compliance with the required regulations and best practices.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once during field inspection

Action Indicating Compliance: Field inspection sign-off

For purposes of **Mitigation Measures NOI-MM-8** and **NOI-MM-9**, the identified receptors are:

- Pershing Square Building, 448 Hill Street
- Silver City Jewelry, 444 Hill Street
- 438 Hill Street
- Metropolitan Building, 315 5th Street
- 445 Broadway Street

NOI-MM-8 Pre-construction surveys shall be performed to document the conditions of the identified receptors. A structural monitoring program shall be implemented and recorded during construction. The performance standards of the structure monitoring plan shall include the following:

- Documentation, consisting of video and/or photographic documentation of accessible and visible areas on the exterior of the receptor buildings.
- A vibration control engineer shall determine the appropriate FTA vibration criteria for the identified vibration receptors, taking into consideration their age, construction, condition, and other factors related to vibration sensitivity.
- Vibration sensors shall be installed at and/or around the identified vibration receptors to monitor for horizontal and vertical movement. These sensors shall remain in place for the duration of excavation, shoring, and grading phases.
- The vibration sensors shall be equipped with real-time warning system capabilities that can immediately alert construction supervisors when monitored vibration levels approach or exceed threshold limits.

- Should an exceedance of vibration thresholds be recorded, work in the vicinity of the exceedance shall be halted and the respective vibration receptor shall be inspected for any damage. Results of the inspection shall be logged. In the event that damage occurs, the damage shall be repaired. For historic structures, the damage shall be repaired in consultation with a qualified preservation consultant.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodically during construction

Action Indicating Compliance: Field inspection sign-off

NOI-MM-9 Construction activities that produce vibration, such as excavation, and earthmoving, shall be sequenced so that vibration sources within 10 feet of the identified receptors do not operate simultaneously.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodically during construction

Action Indicating Compliance: Field inspection sign-off

j) Population and Housing

(1) Project Design Features

No project design features are identified in the EIR for this environmental issue.

(2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.

k) Public Services

(1) Project Design Features

PUB-PDF-1 Prior to the start of construction, temporary fencing will be placed along the periphery of the active construction areas to keep unpermitted persons from entering the construction area and to screen construction activities from view.

The perimeter fence will have gates installed to facilitate the ingress and egress of equipment and construction workers. Where applicable, the construction fence will incorporate a pedestrian walkway with temporary lighting. Should sections of the construction fence have to be removed to facilitate work in progress, barriers and or K–rails will be installed to prevent public entry and theft.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once during construction

Action Indicating Compliance: Field inspection sign-off

PUB-PDF-2 The Project will provide for on-site security measures and controlled access systems for residents and tenants to minimize the demand for police protection services. These measures include, but are not limited to, the following:

- Perimeter lighting to supplement the street lighting and to provide increased visibility and security
- On-site security personnel, commensurate to similar/comparable residential and retail projects of its size, as needed
- Installation of parking garage access control
- Installation of residential units access control

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Pre-operation

Monitoring Frequency: Once prior to the issuance of Certificate of Occupancy

Action Indicating Compliance: Submittal of compliance documentation and subsequent issuance of Certificate of Occupancy

PUB-PDF-3 Prior to the issuance of a certificate of occupancy, the Central Division commanding officer will be provided with a diagram of each portion of the property. The diagram will include access routes and any additional information that might facilitate police response.

Enforcement Agency: City of Los Angeles Police Department, City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Police Department, City of Los Angeles Department of Building and Safety

Monitoring Phase: Pre-operation

Monitoring Frequency: Once prior to the issuance of Certificate of Occupancy

Action Indicating Compliance: Submittal of compliance documentation and subsequent issuance of Certificate of Occupancy

(2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.

I) Transportation

(1) Project Design Features

TRANS-PDF-1 Construction Management Plan

The Project Applicant will prepare and submit a Construction Management Plan, including street closure information, detour plans, truck routes, and staging plans, to LADOT for review and approval. The Construction Management Plan will formalize how construction will be carried out and identify specific actions that will be required to reduce effects on the surrounding community. The Construction Management Plan will be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site and will include, but not be limited to, the following elements:

- Prohibition of construction worker, equipment, or construction-related vehicle parking on adjacent streets.
- Prohibition of construction equipment or material deliveries within the public right-of-way unless specified in the Construction Management Plan.
- Provisions for temporary traffic control during all construction activities adjacent to public right-of-way to improve traffic flow on public roadways (e.g., flag person).
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.
- Provisions of safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers.
- Provisions to accommodate the equipment storage and truck staging on-site.

- Scheduling of construction-related deliveries, haul trips, etc., outside the commuter peak hours.
- Obtaining all required approvals for truck haul routes from the City prior to issuance of any permit for the Project.

Enforcement Agency: City of Los Angeles Department of Transportation

Monitoring Agency: City of Los Angeles Department of Transportation

Monitoring Phase: Pre-construction; construction

Monitoring Frequency: Once at Project plan check prior to issuance of grading or building permit; once during field inspection

Action Indicating Compliance: Plan approval and issuance of grading permit; field inspection sign-off

TRANS-PDF-2 Bus Stop Relocation

- The Project Applicant will work with Los Angeles County Metropolitan Transportation Authority (Metro) to ensure continued access to the bus stop on the north side of 5th Street near Broadway (Metro lines 55/355, Rapid 720).
- If a sidewalk closure is anticipated to occur during construction, and there is no feasible temporary pedestrian accessway, Metro and the Project Applicant will work together to provide appropriate directional signage and placement of the temporary relocated stop, according to Metro's temporary bus stop relocation best practices and policies. Signage will provide the dates of the expected temporary relocated stop.

Enforcement Agency: City of Los Angeles Department of Transportation; Metro

Monitoring Agency: City of Los Angeles Department of Transportation; Metro

Monitoring Phase: Pre-construction; construction

Monitoring Frequency: Once at Project plan check prior to issuance of grading or building permit; once during field inspection

Action Indicating Compliance: Plan approval and issuance of grading permit; field inspection sign-off

TRANS-PDF-3 Pedestrian Facilities

- The Project Applicant will maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the Project Applicant to maintain adequate and safe pedestrian protection, including physical

separation (including utilization of barriers, such as K-Rails or scaffolding, etc.) from workspace and vehicular traffic and overhead protection due to sidewalk closure or blockage, at all times.

- The Project Applicant will provide temporary pedestrian facilities adjacent to the Project Site and will provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- The Project Applicant will provide covered walkways where pedestrians are exposed to potential injury from falling objects.
- The Project Applicant will keep sidewalks open during construction until only when it is absolutely required to close or block sidewalk for reasonable construction staging or safety. Where such closures are necessary, the Project's Construction Management Plan will identify the location of any sidewalk and identify all traffic control measures, signs, delineators, and work instructions to be implemented by the construction contractor through the duration of the closure. Sidewalk will be reopened as soon as reasonably feasible taking construction and construction staging into account.

Enforcement Agency: City of Los Angeles Department of Transportation

Monitoring Agency: City of Los Angeles Department of Transportation

Monitoring Phase: Pre-construction; construction

Monitoring Frequency: Once at Project plan check prior to issuance of grading or building permit; once during field inspection

Action Indicating Compliance: Plan approval and issuance of grading permit; field inspection sign-off

(2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.

m) Tribal Cultural Resources

(1) Project Design Features

No project design features are identified in the EIR for this environmental issue.

(2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.

n) Utilities and Service Systems

(1) Project Design Features

No project design features are identified in the EIR for this environmental issue.

(2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.

o) Energy Conservation

(1) Project Design Features

No project design features are identified in the EIR for this environmental issue.

(2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.

EXHIBIT D
CPC-2016-3765
LADOT APPROVAL
LETTER

FORM GEN. 160A (Rev. 1/82)

CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

323 W. 5th St
DOT Case No. CEN 17-46570

Date: May 9, 2018

To: Luciralia Ibarra, Senior City Planner
Department of City Planning

From: Wes Pringle, Transportation Engineer
Department of Transportation

Subject: **TRANSPORTATION STUDY ASSESSMENT FOR THE PROPOSED MIXED-USE PROJECT AT 323 W. 5th Street**

The Department of Transportation (DOT) has reviewed the traffic analysis, dated April 2018, prepared by Gibson Transportation Consulting, INC., for the proposed mixed-use project located at 323 W. 5th Street. Based on DOT's traffic impact criteria[1], the traffic study included the detailed analysis of 10 intersections. The traffic study determined that none of the study intersections would be significantly impacted by the project related traffic. The results of the traffic analysis, which accounted for other known development projects in evaluating potential cumulative impacts and adequately evaluated the project's traffic impacts on the surrounding community, are summarized in **Attachment 1**.

DISCUSSION AND FINDINGS

A. Project Description

Project Option A: proposes the construction of a new building with a 190-room hotel, 31 residential units, 29,232 square feet (sf) of restaurant space, and 6,119 sf of public meeting rooms. Project Option B: proposes the construction of 160 residential units and 20,431 sf of restaurant space. Parking for the Project would be provided in an on-site parking garage with access on 5th Street and Hill Street. The Project is anticipated to be complete in Year 2023.

The Project Option that would generate more traffic (Option A), is analyzed fully in this study.

Vehicular access to the valet pick-up/drop-off zone and/or the future parking garage would be provided via two driveways. The main inbound and outbound access for the Project would be provided via a driveway off of 5th Street, which is currently a one-way street in the westbound direction. The driveway off of Hill Street would provide inbound-only access to the site and parking lifts. Pedestrian access to the Project would be provided along 5th Street and Hill Street.

[1] Per the DOT Traffic Study Policies and Procedures, a significant impact is identified as an increase in the Critical Movement Analysis (CMA) value, due to project related traffic, of 0.010 or more when the final ("with project") Level of Service (LOS) is LOS E or F; an increase of 0.020 or more when the final LOS is LOS D; or an increase of 0.040 or more when the final LOS is LOS C.

B. Trip Generation

The proposed project Option A is expected to generate approximately 2809 net new daily trips, 122 net trips in the a.m. peak hour and 226 net new trips in the p.m. peak hour. Option B is expected to generate approximately 1680 net new daily trips, 68 net trips in the a.m. peak hour and 147 net new trips in the p.m. peak hour .These estimates were derived using trip generation rates from the Institute of Transportation Engineers (ITE) "Trip Generation Handbook, 10th Edition." A copy of the trip generation estimates table from the traffic study is attached and identified as **Attachment 2 & 3**.

C. Freeway Analysis

The traffic study included a freeway impact analysis that was prepared in accordance with the State-mandated Congestion Management Program (CMP) administered by the Los Angeles County Metropolitan Transportation Authority (MTA). According to this analysis, the project would not result in significant traffic impacts on any of the evaluated freeway mainline segments. To comply with the Freeway Analysis Agreement executed between Caltrans and DOT in December 2015, the study also included a screening analysis to determine if additional evaluation of freeway mainline and ramp segments was necessary beyond the CMP requirements. Exceeding one of the four screening criteria would require the applicant to work directly with Caltrans to prepare more detailed freeway analyses. However, the project did not meet or exceed any of the four thresholds defined in the agreement; therefore, no additional freeway analysis was required.

PROJECT REQUIREMENTS

A. Construction Impacts

DOT recommends that a construction work site traffic control plan be submitted to DOT's Citywide Temporary Traffic Control Section or Permit Plan Review Section for review and approval prior to the start of any construction work. Refer to http://ladot.lacity.org/what-we-do/plan-review to determine which section to coordinate review of the work site traffic control plan. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. DOT also recommends that all construction related traffic be restricted to off-peak hours.

B. Highway Dedication and Street Widening Requirements

On January 20, 2016, the City Council adopted the Mobility Plan 2035 which represents the new Mobility Element of the General Plan. A key feature of the updated plan is to revise street standards in an effort to provide a more enhanced balance between traffic flow and other important street functions including transit routes and stops, pedestrian environments, bicycle routes, building design and site access, etc. Per the new Mobility Element: **5th Street** has been designated as a Avenue III (Secondary Highway) which would require a 23-foot half-width roadway within a 36-foot half-width right-of-way. **Hill Street** has been designated as Avenue II (Secondary Highway) which would require a 28-foot half-width roadway within a 43-foot half-width right-of-way.

C. Parking Analysis

As referenced in the Project Description section above, vehicular access to the valet pick-up/drop-off zone and/or the future parking garage would be provided via two driveways. The main inbound and outbound access for the Project would be provided via a driveway off of 5th Street, which is currently a one-way street in the westbound direction. The driveway off of Hill Street would provide inbound-only access to the site and parking lifts. Project Option A would provide at least 126 vehicle parking spaces and 88 bicycle parking spaces, including 26 short-term and 62 long-term bicycle spaces. Project Option B would provide at least 187 vehicle parking spaces and 206 bicycle parking spaces, including 26 short-term and 180 long-term bicycle spaces.

The applicant should check with the Department of Building and Safety on the number of Code-required parking spaces needed for this project.

D. Site Access and Circulation Plan

The conceptual site plan is acceptable to DOT; however, the review of this study does not constitute approval of the driveway dimensions, access and circulation scheme. Those require separate review and approval and should be coordinated with DOT's Citywide Planning Coordination Section (201 N. Figueroa Street, 5th Floor, Station 3, @ 213-482-7024). In order to minimize and prevent last minute building design changes, the applicant should contact DOT early in the design process for driveway width and internal circulation requirements so that such traffic flow considerations are designed and incorporated early into the building and parking layout plans. All driveways should be Case 2 driveways and 30 feet and 16 feet wide for two-way and one-way operations, respectively. All delivery truck loading and unloading should take place on site with no vehicles having to back into the project via any of the project driveways. A copy of the site plan from the traffic study is included as **Attachment 4**.

E. Development Review Fees

An ordinance adding Section 19.15 to the Los Angeles Municipal Code relative to application fees paid to DOT for permit issuance activities was adopted by the Los Angeles City Council in 2009. This ordinance identifies specific fees for traffic study review, condition clearance, and permit issuance. The applicant shall comply with any applicable fees per this ordinance.

If you have any questions, please contact Russell Hasan at (213) 972-8628.

Attachments

N:\letters\CEN17-46570_323 5th St Mixed-Use

c: Shawn Kuk, Council District 14
Mehrdad Moshksar, Central District Office, DOT
Taimour Tanavoli, Citywide Planning Coordination Section, DOT
Carl Mills, Central District, BOE
Richard Gibson, Gibson Transportation Consulting, Inc.

Attachment 1

TABLE 10
FUTURE WITH PROJECT CONDITIONS (YEAR 2023)
SIGNIFICANT IMPACT ANALYSIS

No	Intersection	Peak Hour	Future without Project		Future with Project			
			V/C	LOS	V/C	LOS	Change in V/C	Significant Impact
1.	Olive Street & 4th Street	AM	0.411	A	0.414	A	0.003	NO
		PM	0.591	A	0.596	A	0.005	NO
2.	Olive Street & 5th Street	AM	0.545	A	0.550	A	0.005	NO
		PM	0.876	D	0.887	D	0.011	NO
3.	Olive Street & 6th Street	AM	0.285	A	0.286	A	0.001	NO
		PM	0.373	A	0.375	A	0.002	NO
4.	Hill Street & 4th Street	AM	0.503	A	0.507	A	0.004	NO
		PM	0.511	A	0.517	A	0.006	NO
5.	Hill Street & 5th Street	AM	0.489	A	0.499	A	0.010	NO
		PM	0.775	C	0.793	C	0.018	NO
6.	Hill Street & 6th Street	AM	0.378	A	0.383	A	0.005	NO
		PM	0.468	A	0.475	A	0.007	NO
7.	Broadway & 4th Street	AM	0.301	A	0.303	A	0.002	NO
		PM	0.463	A	0.467	A	0.004	NO
8.	Broadway & 5th Street	AM	0.381	A	0.418	A	0.037	NO
		PM	0.755	C	0.767	C	0.012	NO
9.	Broadway & 6th Street	AM	0.298	A	0.301	A	0.003	NO
		PM	0.508	A	0.508	A	0.000	NO
10.	Spring Street & 5th Street	AM	0.439	A	0.440	A	0.001	NO
		PM	0.395	A	0.395	A	0.000	NO

Note

As the CMA methodology for individual intersections does not in every case account for vehicular queues along corridors, pedestrian, conflicts, etc., the calculated average operating conditions may appear better than is observed.

Attachment 2

TABLE 8A
PROJECT TRIP GENERATION ESTIMATES
OPTION A

TRIP GENERATION RATES [a]

Land Use	ITE Land Use	Rate	Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Apartments	220	per dwelling unit	6.65	20%	80%	0.51	65%	35%	0.62
Hotel	310	per room	8.17	59%	41%	0.53	51%	49%	0.60
Quality Restaurant	931	per 1,000 sf	89.95	[b]	[b]	0.81	67%	33%	7.49
High-Turnover Restaurant	932	per 1,000 sf	127.15	55%	45%	10.81	60%	40%	9.85
Meeting Rooms [c]	N/A	per 1,000 sf	100.00	90%	10%	10.00	20%	80%	10.00

TRIP GENERATION ESTIMATES

Land Use	ITE Land Use	Size	Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Proposed Project									
Apartments	220	31 du	206	3	13	16	12	7	19
Less Walk-In/Transit Reduction - 25% [d]			*(52)*	*(1)*	*(3)*	*(4)*	*(3)*	*(2)*	*(5)*
Subtotal - Residential			**154**	**2**	**10**	**12**	**9**	**5**	**14**
Hotel	310	190 rooms	1,552	60	41	101	58	56	114
Less Walk-In/Transit Reduction - 25% [d]			*(388)*	*(16)*	*(10)*	*(26)*	*(15)*	*(14)*	*(29)*
Subtotal - Hotel			**1,164**	**44**	**31**	**75**	**43**	**42**	**85**
Meeting Rooms [d]	N/A	6,119 sf	612	55	6	61	12	49	61
Less 50% Internal Capture [e]			(306)	(28)	(3)	(31)	(6)	(25)	(31)
Less Walk-In/Transit Reduction - 25% [d]			(77)	(7)	(1)	(8)	(2)	(6)	(8)
Subtotal - Meeting Room			**229**	**21**	**2**	**23**	**4**	**19**	**23**
Quality Restaurant	931	29,232 sf	2,629	13	11	24	147	72	219
Less Internal Capture Reduction - 20% [e]			*(526)*	*(3)*	*(2)*	*(5)*	*(29)*	*(14)*	*(43)*
Transit/Walk-In Reduction - 25% [d]			*(526)*	*(3)*	*(2)*	*(5)*	*(30)*	*(15)*	*(45)*
Pass-by Reduction - 20% [f]			*(315)*	*(1)*	*(1)*	*(2)*	*(18)*	*(9)*	*(27)*
Subtotal - High-Turnover Restaurant			**1,262**	**6**	**6**	**12**	**70**	**34**	**104**
TOTAL NET NEW PROJECT TRIPS			**2,809**	**73**	**49**	**122**	**126**	**100**	**226**

Notes:
1,000 square feet = ksf.
[a] Source: *Trip Generation, 9th Edition*, Institute of Transportation Engineers, 2012.
[b] Quality Restaurant (ITE 931) AM Peak Hour In and Out rates based on High-Turnover Restaurant (ITE 932).
[c] Based on Auditorium parking rate of 1 space per 100 sf, and AVR of 2.0, and internal capture of 50%.
[d] Per LADOT's *Transportation Impact Study Guidelines,* the Project Site is located within a 1/4 mile walking distance from a transit station or RapidBus stop, therefore a transit reduction is applied to account for transit usage and walking visitor arrivals from the surrounding neighborhoods and adjacent commercial developments.
[d] Hotel trip rates normally include ancillary conference/meeting rooms, a lobby lounge and bar, guest amenities, as well as retail and restaurant space. However, meeting rooms within the hotel are open to the public and were therefore analyzed separately to provide a conservative analysis.
[e] Internal capture adjustments account for person trips made between distinct land uses within a mixed-use development (e.g., hotel guests utilizing the meeting rooms).
[f] Pass-by adjustments account for Project trips made as an intermediate stop on the way from an origin to a primary trip destination without route diversion.

Attachment 3

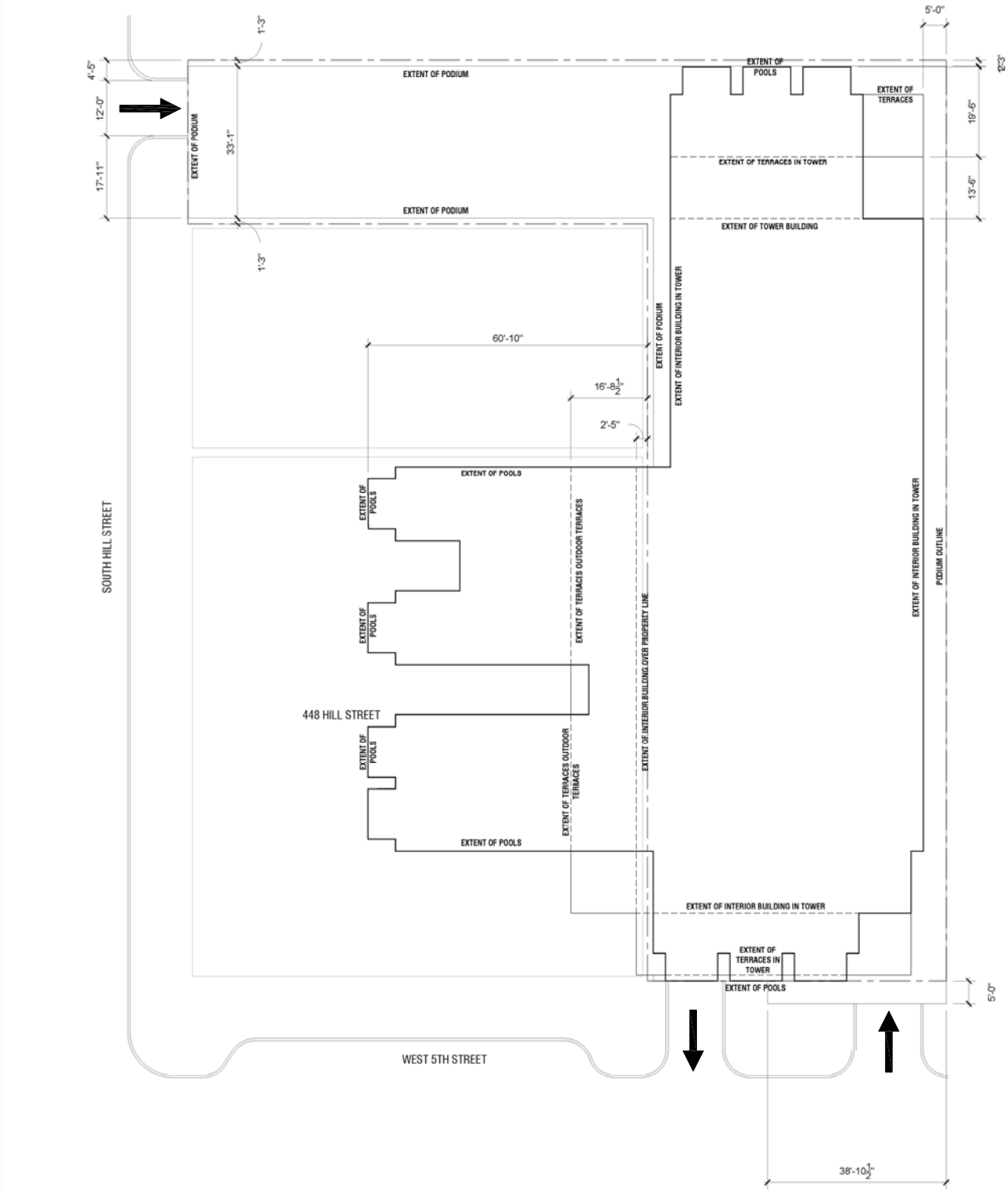
TABLE 8B
PROJECT TRIP GENERATION ESTIMATES
OPTION B

TRIP GENERATION RATES [a]									
Land Use	**ITE Land Use**	**Rate**	**Daily**	**AM Peak Hour**			**PM Peak Hour**		
				In	**Out**	**Total**	**In**	**Out**	**Total**
Apartments	220	per dwelling unit	6.65	20%	80%	0.51	65%	35%	0.62
Quality Restaurant	931	per 1,000 sf	89.95	[b]	[b]	0.81	67%	33%	7.49
High-Turnover Restaurant	932	per 1,000 sf	127.15	55%	45%	10.81	60%	40%	9.85

TRIP GENERATION ESTIMATES									
Land Use	**ITE Land Use**	**Size**	**Daily**	**AM Peak Hour**			**PM Peak Hour**		
				In	**Out**	**Total**	**In**	**Out**	**Total**
<u>Proposed Project</u>									
Apartments	220	160 du	1,064	16	66	82	64	35	99
Less Walk-In/Transit Reduction - 25% [c]			*(266)*	*(4)*	*(17)*	*(21)*	*(16)*	*(9)*	*(25)*
Subtotal - Residential			**798**	**12**	**49**	**61**	**48**	**26**	**74**
Quality Restaurant	931	20,431 sf	1,838	9	8	17	103	50	153
Less Internal Capture Reduction - 20% [d]			*(368)*	*(2)*	*(2)*	*(4)*	*(21)*	*(10)*	*(31)*
Transit/Walk-In Reduction - 25% [c]			*(368)*	*(2)*	*(2)*	*(4)*	*(21)*	*(10)*	*(31)*
Pass-by Reduction - 20% [e]			*(220)*	*(1)*	*(1)*	*(2)*	*(12)*	*(6)*	*(18)*
Subtotal - High-Turnover Restaurant			**882**	**4**	**3**	**7**	**49**	**24**	**73**
TOTAL NET NEW PROJECT TRIPS			**1,680**	**16**	**52**	**68**	**97**	**50**	**147**

<u>Notes</u>:
1,000 square feet = ksf.
[a] Source: *Trip Generation, 9th Edition*, Institute of Transportation Engineers, 2012.
[b] Quality Restaurant (ITE 931) AM Peak Hour In and Out rate [b] Quality R [b] Quality Re [b] Quality Re [b] Quality R [b] Quality R [b] Quality R [b] Quality R [b] Quality R [b] Quality R [b] Quality R
[c] Per LADOT's *Transportation Impact Study Guidelines,* the Project Site is located within a 1/4 mile walking distance from a transit station or RapidBus stop, therefore a transit reduction is applied to account for transit usage and walking visitor arrivals from the surrounding neighborhoods and adjacent commercial developments.
[d] Internal capture adjustments account for person trips made between distinct land uses within a mixed-use development.
[e] Pass-by adjustments account for Project trips made as an intermediate stop on the way from an origin to a primary trip destination without route diversion.

Attachment 4



SITE PLAN

FIGURE 1